

# **PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE**

## **Of the Suffolk County Legislature**

### **Minutes**

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **May 10, 2005**.

#### **Members Present:**

Legislator Angie Carpenter • Chairperson

Legislator Michael Caracciolo

Legislator Daniel Losquadro

Legislator David Bishop

Legislator William Lindsay

Legislator Lynne Nowick

Legislator Elie Mystal

#### **Members Not Present:**

Legislator Pete O'Leary • Excused

#### **Also In Attendance:**

Presiding Officer Joseph Caracappa • District No. 4

Legislator Jon Cooper • District No. 18

Mea Knapp • Counsel to the Legislature

Alexandra Sullivan • Chief Deputy Clerk/Suffolk County Legislature

Doug Sutherland • Aide to Legislator Carpenter.

Linda Bay • Aide to Presiding Officer Caracappa

Frank Tassone • Aide to Majority Caucus

Maria Ammiratti • Aide to Legislator O'Leary

Paul Perillie • Aide to Minority Caucus

Kevin LaValle • Aide to Legislator Losquadro

Ed Hogan • Aide to Legislator Nowick

Carl Yellon • Aide to Legislator Kennedy  
Terry Pearsall • Aide to Legislator Lindsay  
Lisa Keys • Aide to Legislator Caracciolo  
Glenn Pichardo • Aide to Legislator Bishop  
Jim Maggio • Budget Analyst/Budget Review Office  
Ben Zwirn • Assistant County Executive  
Jimmy Dahroug • County Executive Assistant  
Jacqueline Caputi • County Attorney's Office  
Alan Otto • Chief of Staff/Suffolk County Sheriff's Office  
Donald Sullivan • Undersheriff/Suffolk County Sheriff's Office  
Robert Moore • Chief of Department/Suffolk County Police Dept  
George Fasanelli • Captain/7th Precinct•SCPD  
Harold Armet • Lieutenant/Legal Bureau•SCPD  
Thomas Blomberg • Lieutenant/5th Precinct•SCPD  
John Desmond • Director/Suffolk County Probation Department  
Joe Williams • Commissioner/Fire, Rescue & Emergency Services  
Belinda Pagdanganon • Director/Office of Emergency Preparedness/FRES  
Hope Collazo • Director/Community Service Program•American Red Cross  
Debbie Eppel • Public Information Office  
Mike Sharkey • Vice•President/Deputy Sheriff's Benevolent Association  
Catherine Hoak • Suffolk County League of Women Voters  
Mary McLaughlin • Suffolk County League of Women Voters.  
Bob Bottega • Multimedia Communications  
Irene Pierson • SC 1199  
Chau Lam • Newsday  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

***(\*The meeting was called to order at 11:41 A.M.\*)***

**CHAIRPERSON CARPENTER:**

Good afternoon. I know we have some visitors in the auditorium today. If you're wondering

what's going on, I'm just waiting for a quorum, we need to have four at least four Legislators present so that we can begin the meeting, and we have it, great.

So without further ado, we will begin the Public Information & Public Safety Committee and I would ask Legislator Bishop to lead us in the Pledge of Allegiance.

### ***Salutation***

I would ask everyone if they would please remain standing so that we could have a moment of silence in respect to the memory of Heidi Behr and William Stone who both were tragically killed on the way to a rescue call. These are volunteers, are part of a very proud community of volunteers in Suffolk County.

### ***Moment of silence observed.***

Thank you very much. And if anyone is interested, there is a Jared Behr Fund for the son of Heidi Behr and the William Anthony Stone Memorial Foundation, and if anyone would like information they can contact Fire, Rescue & Emergency Services and they can give you that information.

I would like to welcome, and perhaps they would like to stand, The Institute for Learning in Retirement from SUNY Farmingdale. This is an educational program for mature learners where they share experiences with one another. If you would just stand so we could recognize you.

### ***Applause***

Thank you for joining us.

### **LEG. BISHOP:**

This is the first school group in 12 years here that could actually vote.

### **CHAIRPERSON CARPENTER:**

So I'm sure that everyone is going to sit in their seats and be particularly attentive because of that.

I would like to begin. We have an issue that's been on the agenda for quite a while and that is

the issue of the EMS response time that Legislator Bishop has been working on. And I want to take this opportunity to commend everyone that's been involved, particularly the Commissioner of FRES, Fire, Rescue & Emergency Service, Joe Williams. And Joe, if you would come forward and perhaps tell us where we're at so that hopefully today we can move forward with this bill, and I know that we've got a new member of the department that's going to be joining you and perhaps you can introduce her to the members of the committee.

**COMMISSIONER WILLIAMS:**

Good morning. At this time, I would like to introduce the new Director of Emergency Preparedness, she started just last week, Belle ••

**MS. PAGDANGANAN:**

Pagdanganan.

**COMMISSIONER WILLIAMS:**

I've got to apologize for the pronunciation of the last name. Belle came to us from KeySpan, LIPA, she comes with a lot of experience and we look forward to working with her. She'll be coming to some of the meetings. Any questions you have in that area, please give Belle a call.

To talk to •• just to bring you up•to•date on the bill we've been talking about, we all know we started back in January with a committee, we've worked diligently on it, we've met every month. We've come up with a plan, if the bill is implemented, that we're talking to our IT Department, we can receive the information in three different ways; CAD to CAD which is a Computer Aided Dispatch System between the PSAP's, they can set it up through an Internet •based, and the last would be least desirable, read through a fax and we'd have to feed in the information ourselves. The thought would be that the information would come into FRES, we would pass it on to the EMS Division.

We have worked also through a subcommittee to looking at some of the wording, some of the objections on the bill. We have met with Legislator Bishop a number of times, we submitted what we felt was a workable clause. The Fire Service, the EMS Service have had meetings, I've attended a lot of the meetings, there are still some concerns out there, some have voiced some deep concerns about it, but overall everybody is just sitting back and waiting to see what's happening.

**CHAIRPERSON CARPENTER:**

Okay. Are there any questions on comments; Legislator Bishop?

**LEG. BISHOP:**

Well, is there a •• are we taking it up at this time, or we're just listening to him.

**CHAIRPERSON CARPENTER:**

I wasn't planning on it ••

**LEG. BISHOP:**

Okay.

**CHAIRPERSON CARPENTER:**

•• but I certainly don't have a problem doing that. We still have some members missing, so why don't we wait until we get to the voting portion of the agenda.

**LEG. BISHOP:**

We'll wait. Commissioner, thank you for all your help with this.

**CHAIRPERSON CARPENTER:**

But Commissioner, you will be here in case there are any questions.

**COMMISSIONER WILLIAMS:**

Yes, I will.

**CHAIRPERSON CARPENTER:**

Okay. Yes, thank you very much. And I thought it was particularly important to see that those that are going to be participating on a day•to•day basis, that they were all a part of this process and I think that speaks well to your abilities as the Commissioner in pulling everyone together. So thank you again.

**COMMISSIONER WILLIAMS:**

I know if the bill is passed today, later on I would like to get together and talk about just some of the concerns they had and how we can address them, but that would be premature unless we •• you know, if it is passed at a later day, we can sit down and talk about that.

**CHAIRPERSON CARPENTER:**

We're certainly open to all of that. Thank you.

**COMMISSIONER WILLIAMS:**

Okay. Before we move on to the Police Department and the Sheriff's Department, we did have a card that I was just handed, someone who did want to address the committee. And during the public portion, speakers have three minutes and that is Bob Bottega. Bob, are you here?

**MR. BOTTEGA:**

Yes.

**CHAIRPERSON CARPENTER:**

You certainly are welcome to come up and address the committee.

Just come to the table.

**MR. BOTTEGA:**

Okay.

**CHAIRPERSON CARPENTER:**

As is the rule, all cell phones and pagers are supposed to be turned off. Thank you.

**MR. BOTTEGA:**

Okay. My name is Bob Bottega and I'm a retired Suffolk County Police Officer.

**LEG. LOSQUADRO:**

Sir, could you pull the microphone a little closer?

**MR. BOTTEGA:**

Sure.

**LEG. LOSQUADRO:**

Thank you.

**MR. BOTTEGA:**

Bob Bottega. I'm retired from the Suffolk County Police Department, I worked there for 28 years. For ten years I worked in the 2nd Precinct and the reason I'm here is because one of the issues that you have are these surveillance cameras; I happened to work as a foot man and a sector car operator right in that 201 sector. That sector •• it was quite some time ago of course because I'm kind of old, but there still was over 40 licensed premises, bars and whatnot down there and there were plenty of things going on. At four o'clock in the morning you would be appalled to see what actually did go on sometimes, you know; someone would walk out of a bar and urinate on the wall and then climb into the vehicle. If that officer happened to be there, he obviously made an arrest, you know, he waited for him to climb in the car and then locked him up for a DWI.

By coincidence, I belong to the health club right on Wall Street for a while; my son got me a membership there. At any rate, I observed what's going on down there. You have gang members, Bloods, wearing their colors, their red bandanas on the corner of Gerard and Wall Street, okay. When they're doing this, from experience I know they're out there to hurt someone, hurt someone seriously. That has caused serious physical injury where they're going to be hospitalized and I've seen it happen; again, as a police officer. They're not even happy with just an injury, they've got to come back causing •• cutting someone from their ear to their chin right through and you'll be able to see their teeth. Well, at any rate, by coincidence •• I'm quite annoyed at what's going on there and something needs to be done about it, all right?

But by coincidence, I also work for Multimedia Communications and we actually install these surveillance cameras. So that's the reason I'm here today, partly for the company, partly for myself. We can install and we've installed for Freeport Police Department and the Town of Freeport, surveillance cameras for a reasonable price that covers the courthouse, the police precinct, the parking lot and it also picks up an area of the 7•11 that's approximately a quarter of a mile in the southeast part of that parking lot where there was drug activity. So the stuff can be used and everything came back to the desk for the Freeport Police Department. So a desk officer can observe what's going on, he actually can zoom in on something. Again, my company is •• a lot of people are doing this, you know. We've done something for the City Parks Department where there's restrooms, Hudson River Valley.

**CHAIRPERSON CARPENTER:**

If I could.

**MR. BOTTEGA:**

I'm sorry.

**CHAIRPERSON CARPENTER:**

With all due respect, I need to interrupt ••

**MR. BOTTEGA:**

Okay.

**CHAIRPERSON CARPENTER:**

•• because we do have a time limit.

**MR. BOTTEGA:**

Oh, I'm sorry.

**CHAIRPERSON CARPENTER:**

But also, too, we're not at the juncture yet of purchasing, certainly. And if that were to be, there would be a whole process, you know, that would be involved, there would be an RFP process where they would go out, the County would go out to seek a vendor and you would, you know ••

**MR. BOTTEGA:**

For a bid; yeah, I understand.

**CHAIRPERSON CARPENTER:**

Okay.

**MR. BOTTEGA:**

I understand that perfectly, I've dealt with that already and won bids.

**CHAIRPERSON CARPENTER:**

Okay.



**MR. BOTTEGA:**

I won the bid for the Freeport Police Department, so.

**CHAIRPERSON CARPENTER:**

Okay, great. But thank you for coming down, I appreciate it.

**MR. BOTTEGA:**

All right. Thank you.

**CHAIRPERSON CARPENTER:**

Okay, bye•bye.

All right, I would ask then if the Police Department would come forward. If you would just identify yourself for the record.

**CHIEF MOORE:**

Good morning, everyone. I'm Robert Moore, M•O•O•R•E, and I am Chief of Department, Suffolk County Police Department.

**CHAIRPERSON CARPENTER:**

And also, almost as important, he is the new Chairman of the Public Safety Staffing Levels Task Force; congratulations.

**CHIEF MOORE:**

Thank you.

**CHAIRPERSON CARPENTER:**

And hopefully with you chairing it we can, you know, move this to a resolution. I know there is a resolution on the agenda today to extend the deadline to the end of June so that we can wrap this all up and hopefully everyone will be supportive of that.

There was an issue that has come up again and that is the 4th Precinct and we need to know where that's at. The situation there is really critical as far as working conditions are concerned. I know a number of us have toured the precinct and we're in a situation now where the warm weather is coming again and in order to be able to have the air•conditioning function properly, some things, you know, have to be done that are less than appropriate and do compromise public safety, so I'm not going to go into details. But if you could give us an update

on where we're at.

**CHIEF MOORE:**

Well, may I ask that we hold off on that just for a bit. I have Inspector Mojica pulling someone out of training so that we can give you up to the minute, current information; so I apologize but it shouldn't be more than five minutes.

**CHAIRPERSON CARPENTER:**

Okay, not a problem.

Also, too, there are a number of resolutions on the agenda that you might want to address, one being the pilot program for the security cameras. And it's my understanding that this has been changed now to basically just be a task force to look at; is that correct?

**CHIEF MOORE:**

Yes. And I'd like to thank the Legislature, in particular Legislators Cooper and Tonna, for making this proposal.

If anyone has had the opportunity to review it, it's a well-balanced task force that they're calling for and the Police Department is looking forward to sitting down with this group to seeing what's best for the people in Huntington. And by extension, you know, whatever the task force recommends for all the people in Suffolk County.

**CHAIRPERSON CARPENTER:**

Uh-huh. Yeah, and that was my concern that this be a little bit more global. I could be supportive of the concept of a task force looking at the issue of security cameras, but again, in a global fashion as to how it would be appropriate for our business districts throughout the County, not just in the Village of Huntington.

**CHIEF MOORE:**

Absolutely not. As you know, the Police Department, this administration's Police Department, are great fans of pilot programs and we think that they're cost effective, it allows us to deploy a reasonable number of personnel. Because many times when we establish a pilot program, it's not certain what the results are going to be, so we feel this is a way of putting a toe into the

waters without over committing. And certainly when we discover something that is a benefit, we expand it throughout the Police Department.

**CHAIRPERSON CARPENTER:**

And even more importantly, when a pilot program is instituted and it's determined that the consequences were not positive as the midnight cars, or the cars colloquially referred to as the midnight cars, in Huntington were shut down, that perhaps that wasn't the best thing to do and you did reverse that policy, so.

**CHIEF MOORE:**

Well, the Police Department, again, I think human nature often suggests that people, once they come up with a notion or an idea, they stick to it at all costs, and I'm happy to tell you that the Police Commissioner is not that sort of individual. He likes to review a pilot program or project for a reasonable period of time but, you know, we either discover what does work or we discover what doesn't work and we act accordingly.

**CHAIRPERSON CARPENTER:**

Are there any resolutions specifically on the agenda you would like to address other than the two that we ••

**CHIEF MOORE:**

No, but if there's something in particular that the committee had a question, they're all pretty straightforward. The Crack House Law is basically an expansion of the types of offenses that would qualify, premises for the Crack House Law; it's a good idea. Several giving the Police Department money, always a wonderful idea.

**CHAIRPERSON CARPENTER:**

Yeah, I knew you'd agree with that.

**CHIEF MOORE:**

Although I have to caution you, and I have Lieutenant Thomas Blomberg from the Bellport Weed & Seed site, North Bellport Weed & Seed site, one of the resolutions is for 117,000 plus dollars in Federal money, and unfortunately that money has already been spent. So this is not additional funds, this is kind of a Federal IOU.

**CHAIRPERSON CARPENTER:**

Well, I think on that particular resolution, we're going to be making a motion to table because the Legislator from that district •• who, by the way, just for the record, Legislator O'Leary has an excused absence, he was not able to be at the committee today •• had some questions about that and wanted to speak to the department, so we're going to be tabling that today anyway.

**CHIEF MOORE:**

Okay, thank you. The foot patrols and bicycle patrols in Huntington Village. Again, I don't think you would be surprised that the Commissioner is not a fan of this resolution •• this is 1324•05 •• because again, it really is in opposition of the Commissioner's flexible deployment policies. So he's really not in favor of this bit of legislation.

**CHAIRPERSON CARPENTER:**

Well, we did have a conversation with the sponsor on that and I do believe that there are going to be some changes on it and I'm going to be tabling that.

**CHIEF MOORE:**

Thank you. The alarm systems, Mr. Zwirn, did we already ••

**MR. ZWIRN:**

(Inaudible).

**CHIEF MOORE:**

So the alarm •• okay, the alarm systems proposed by Legislators Cooper and Alden, I think that that's going to be tabled; is that true?

**CHAIRPERSON CARPENTER:**

I believe so.

**CHIEF MOORE:**

Okay, thank you. And I believe that's pretty much it. Of course there's the Rose Caracappa Building, I don't think we need to even discuss that. Many of you were able to attend the ceremony for the dedication of the 6th Precinct.

Of course a bit of legislation asking for extending the expiration date of the task force, that's something that I oppose you'll be voting on today. Again, as you know, the Commissioner is opposed to that.

The resolution for the expansion of vehicle seizures. First I'd like to thank you, Legislator Carpenter. The Police Department, anything that supports our efforts to reduce crashes in Suffolk County, motor vehicle accidents, is a wonderful thing. And I think we're still working on some of the language. I have Lieutenant Harold Armet, who is the Commanding Officer of our Legal Bureau, with me here today, if anyone would like to discuss some of the fine points.

**CHAIRPERSON CARPENTER:**

Well, when counsel is able to join us, she was called out for a few moments but she will be back in here, because I was under the impression that we had worked that out, but we'll discuss that when she's back here.

**CHIEF MOORE:**

Okay, good. And that's why I brought the Lieutenant with me today. Of course, I think that we agree on the legislation, it's just a word here or a nuance there. And I believe that's it.

**CHAIRPERSON CARPENTER:**

Okay. Are there any questions for the Chief? Okay, then why don't we come up with the Sheriff's Department and in the meantime maybe you'll have that information on the 4th Precinct.

**CHIEF MOORE:**

Yes, thank you.

**CHAIRPERSON CARPENTER:**

Thank you.

Okay, would the representatives from the Sheriff's Office come up?

I know that during the Finance & Budget Committee earlier this morning there was a letter that was distributed that came from the Commission of Corrections that was kind of surprising to

some of us and perhaps you would like to comment on that.

**UNDERSHERIFF SULLIVAN:**

Good afternoon.

**CHAIRPERSON CARPENTER:**

Good afternoon.

**UNDERSHERIFF SULLIVAN:**

This letter dated May 2nd of '05 from the Commission to the Sheriff is not a rejection of any of the suggestions that have been under discussion between the County and COC with regard to the size and expense of phase I of a new jail project. This is form language which has been in every extension letter from COC for over two years since they first set out their milestones there over two years ago.

To the contrary, and I've just had conversations with COC people and DPW, there have been ongoing conversations, meetings up in Albany, COC has been very cooperative and made many cost saving suggestions which had not occurred to anybody down here. I know you, Legislator Carpenter, were at the meeting with the State Chairman, the County Executive, leaders from the Legislature and all of the shareholders in this situation when Jim Lawrence made suggestions and said that the cost could be cut back very significantly; that process is still midway. There have been no plans yet submitted to COC and the question of just how big or how expensive the call must be with regard to phase I is an undecided question that is very much under conversation, cooperative conversation between the County and the State. DPW has not yet finished their plans to drop on the commission's table and say, "How about this?" So once again, such as we were in a situation like this four months ago, numbers start to get thrown out and people start to talk about the sky is falling when we're only in the middle of the process.

This is not a decision by COC with regard to the core of phase I at all, and I just confirmed that over the phone with those folks ten minutes ago, I confirmed it over the phone with Tedd Godek at DPW 45 minutes ago. To the contrary, the fact that they give us extensions of six •and•a•half months shows that they're rather pleased with the direction of progress, because when they were displeased they were giving us extensions of 90 days to keep the gun to

Suffolk County's head. So this letter, if it's being characterized as a rejection, that is totally inaccurate.

**CHAIRPERSON CARPENTER:**

Well, thank you very much, Undersheriff Sullivan. I was talking to a reporter earlier and I basically said that I wasn't going to rush to judgment, that I was still pretty optimistic that it was a matter of clarification as to how much of the core really had to be built. So you're giving me cause to continue to be optimistic and I appreciate that.

**UNDERSHERIFF SULLIVAN:**

That's correct. And the commission made it clear, "Well, listen, you don't want to build the core by Phase II. What do you really mean by that? Show us real architectural plans, show us how you could adapt to phase II. If the commission is right and the County is wrong and they'll need it down the road, how are you going to plug phase II into phase I?" And those things simply have not happened yet and those decisions have not been made and this is not a rejection of the County's position that they want to carve back phase I, which we support by the way.

**CHAIRPERSON CARPENTER:**

Thank you. Legislator Bishop.

**LEG. BISHOP:**

Mr. Spero, what did you base your statement earlier on, was it simply the letter?

**MR. SPERO:**

Yeah, that's right, and the fact that the Capital Budget cost for phase I was cut back \$25.8 million to exclude the core for Phase II. So the question is how much money do we need to budget for the phase I construction depending on what happens with the phase II core situation.

**LEG. BISHOP:**

And •• well, I could understand your analysis because if you read the letter, it clearly states you are to build a core capable for phase II housing and it's •• the letter is very specific and very strong in its language, it says, "The commission hereby serves notice that absent achievement of the specific milestones, the commission shall substantially reduce or eliminate the variance

relief afforded the County."

So it's a specific letter that does reflect the ongoing discussions, so it's not a generic letter as was earlier characterized because it reflects the two•phase approach. So my question is in your discussions on the telephone with them, are they going to send a second letter that clarifies this?

**UNDERSHERIFF SULLIVAN:**

No.

**LEG. BISHOP:**

So you're ••

**UNDERSHERIFF SULLIVAN:**

This is the exact same language that they have had on the public record to the County for over two years.

**LEG. BISHOP:**

Well, how do you account for the fact that you're telling the committee that it doesn't mean what it says? It clearly says you have to have ••

**UNDERSHERIFF SULLIVAN:**

It means exactly what it says, Mr. Bishop, you mischaracterize it for your own purposes. They have used exactly the same language for two years. They are in the midst of listening to the County right now and waiting for them to drop real plans in an effort to carve back phase I so it is more affordable. That's what's really going on now and you're in the middle of the process, not at the end of it.

**LEG. BISHOP:**

The letter clearly says, "Phase I of the project meaning a 680 bed facility and a core sufficient to accommodate additional phase II housing.



**UNDERSHERIFF SULLIVAN:**

And what they mean by cost efficient and how big that will be and how expensive that will be is as yet undetermined and they are in the midst of helping the County come up with a solution to that question which is affordable, and that hasn't happened yet.

**LEG. BISHOP:**

Okay. So what you're saying is that core is an undefined term.

**UNDERSHERIFF SULLIVAN:**

Core sufficient has not been nailed down in terms of size and expense and that process is ongoing right now.

**LEG. BISHOP:**

Okay. And Jim, your belief that core sufficient is a \$25 million additional cost is based on what?

**MR. SPERO:**

That's the consultant's cost estimates for the phase I and phase II construction and the fact that the \$25.8 million was removed from the phase I cost by the County Executive when he submitted his Capital Budget.

**LEG. BISHOP:**

And when phase •• when that 25.8 was removed •• I'm not part of the ongoing group that's having dialogue with the State, I've removed myself from that process so I'm not privy to all the discussions. But when it was decided by the County Executive, and I assume that was in consultation with this group to reduce it by 25.8, was that to eliminate a core or to shave down a core; what was the discussion vis•a•vis core and that cut?

**MR. SPERO:**

Well, it was to shave down the core as part of the phase I construction and that when phase II would be built, the core associated with the phase II component of the project would be included ••

**LEG. BISHOP:**

In Phase II.

**MR. SPERO:**

•• in phase II.

**LEG. BISHOP:**

Right. So it ••

**MR. SPERO:**

You know, the issue for the Legislature is what's the number we put in the book for the construction cost for phase I, and that's •• we're grappling, we have to grapple with that now.

**LEG. BISHOP:**

Okay. So I would just stand by •• given that discussion, I would stand by my •• I don't think it's my interpretation, I think it's just a direct reading of the letter that it seems to be opposite the direction that we're going in, but I hope that the State Commission will issue a clarifying letter and that would solve the problem, because it probably is just a matter of dialogue and language.

**CHAIRPERSON CARPENTER:**

If I could just comment on what Legislator Bishop was saying. I have been part of the those meetings and I know that when the architects and the consultants came back with the cost of the project and there was what's been termed as sticker shock, right away everyone looked at ways to mitigate the cost, to lesson the cost to see what we could do. And there was discussion and one of the options that we, you know, thought about considering that the County Executive had proposed was that we just build the core for the first phase only and that was where they came up with the \$25 million number. And my guess is that when the County Executive submitted the Capital Program, they were optimistic that this was going to happen and so did not include that \$25 million.

But to the point of the almost boiler•plate language of this letter, there have been previous letters that clearly set the milestones as we see in this letter, that the core have to be •• has to be built for the entire project, you know, on and on and on. Subsequent, there was a meeting and unfortunately that meeting did not take place months ago, as perhaps it should have. And I know that the Sheriff was very instrumental in making sure that we did finally all meet with the people from the State and it was at that meeting a couple of weeks ago that they very

clearly said that, "We are here telling you what you have to do as a minimum requirement. If you want to go and build, you know, a Taj Mahal", and those were not the words that they used, you know, "You can do that, we're here to tell you what you minimally have to do." And they did give an instance of another County Upstate that came back with a project that was far in excess of what they needed to do and the commission basically said that to them and they said, "Yeah, but we've already spent this money and we want to go forward. " And I remember saying, "Well, we're not like that County, we're willing to listen and if you've got suggestions and you're willing to work with us, that's clearly what we want to do." And I think we're still in that whole thing.

They suggested that we send our design team and DPW up to Albany and that did take place, and I know that Gail from Budget Review was there and the County Executive's Budget Office and everyone is working together, but that's just been that one meeting. And when I spoke with representatives yesterday, I was led to believe that things were moving along well, that was why I was kind of surprised today. But hearing what Undersheriff Sullivan said and rereading that letter a couple of times, I think that we're still •• we still have cause to be optimistic and I still think we're going to be okay, as long as we keep communicating. And I think that's been the problem and that was a point that the Commission of Correction made, that if we're not talking to them and they're just going by what they're seeing in the newspapers and we are, then we're not going to come up with the same kind of positive outcome that we could come up with if we work together.

I know there's a list going here; Legislator Bishop, are you ••

**LEG. BISHOP:**

Not on this topic, on another issue.

**CHAIRPERSON CARPENTER:**

Okay. Legislator Mystal.

**LEG. MYSTAL:**

Good morning.

**UNDERSHERIFF SULLIVAN:**

Good afternoon.

**LEG. MYSTAL:**

Good afternoon, yeah. I have two questions, one for Undersheriff Sullivan and one for Budget Director, Jim Spero. The first question for you, Mr. Sullivan, is the definition of cost sufficiency solely State's or does anybody else have any say•so in that definition?

**UNDERSHERIFF SULLIVAN:**

Certainly it will be the State's unilateral decision, the Commission of Corrections, to say whether or not what we finally propose meets their requirements; that is their decision, that is their Legislative power that they've been given by the State Legislature for many, many years. But what they are doing right now and what they started at this meeting that Legislator Carpenter refers to is quite frankly they're educating everybody down here. Those folks have been involved in many, many, many jail construction projects. No one in this County has been involved in a jail construction project for almost 25, 28 years, since the last small one was completed. And they told us at that meeting, "Hey folks, don't get panicky yet, you're in the middle of the process. This happens in every County when you get sticker•shock. And now, since it's important to the State Commission that this project go forward, we're going to sit down and help you shrink this so that you can handle the fiscal impact of it," and that's the process that's going forward now.

So yes, it's their decision and it will be their decision when we say this is what we want to do. But at the moment they have been very cooperative in saying, "We will try to work with you to carve this core down in phase I so that you can afford the bill." They're waiting for the next stage of this which is hard plans, and it's appropriate for them. They say, "What do you really mean? What do you want to do, show us and show us how you will be able to plug phase II in down the road. " If they're right and our needs will require a larger Phase II and we're wrong, because we hope no, we won't require a larger Phase II, they simply haven't made those decisions yet and they simply haven't seen our hard proposals yet. But I have to say, and I think Legislator Carpenter and Lindsay were at that meeting, I think everybody came away with the notion that these folks were trying to be helpful. Especially Jim Lawrence, the Director of Operations, he's one of the most experienced correctional people on the eastern seaboard, you know, he knows this stuff very, very well and he led that conversation at that meeting and said, "Listen, I can help you carve this down and save you a lot of money. Come up to Albany with your team and we'll help you more," and that's the process that we're in the midst of right now.

**LEG. MYSTAL:**

My second question is for Budget Director Jim Spero. And I'm not going to speculate as to whether or not the 25.8 million which was cut out, I'm not going to speak whether it was a financial move to pair down the Capital Budget or if it was done for some other reason, I'm not going to do that and I'm not going to ask Mr. Ben Zwirn. What I want to know from you is have there been any kind of speculative, and the emphasis is on the word speculative, projection as to what would happen if we were to build phase I with a core that is not sufficient for phase II and we have to add to it to build phase II? Because if we take in 25.8 million now, what would it cost in future years if we were to go to phase II, if we have to go to phase II.

**MR. SPERO:**

What will happen is you're going to raise the cost of the phase II construction and assuming •• you know, the base premise of not including the funding for phase I is that you're never going to have to build phase II. If you think you're going to have to go right to Phase II, you might as well build the core immediately because you actually save money due to construction cost escalations over a period of four to five years, that could be a sizeable number. But you're going to raise the cost of phase II by reducing the cost of phase I. And the hope is that phase II won't have to be built, but that's the underlying premise in taking that approach.

**LEG. MYSTAL:**

I'll ask the question; Mr. Zwirn, do you have any idea why the \$25.8 million was cut out of phase I?

**CHAIRPERSON CARPENTER:**

Ben, if you could come forward, please? There's a seat down there.

**LEG. MYSTAL:**

I'm sorry, I should have asked you and you could ask him.

**CHAIRPERSON CARPENTER:**

That's all right.

**LEG. MYSTAL:**

I'm trying to find what the fiscal philosophy was, if there was any.

**LEG. BISHOP:**

That they would have to build the whole core.

**CHAIRPERSON CARPENTER:**

Saving the buck.

**LEG. MYSTAL:**

I understand what you're saying, I just want to •• can I put it on the record, Bishop, please?

Thank you.

**MR. ZWIRN:**

I think the hope was that it would not be necessary. But I've sent a copy of the letter that Jim relayed today back to the County Exec's Office and I'm waiting for an answer to see if they had gotten a copy before today so that they could respond to it. And I'm going to go out and just see if they've had a chance to read it and what their read of it is.

**LEG. MYSTAL:**

If they do have a response, could you please come back and tell us?

**UNDERSHERIFF SULLIVAN:**

It was cc'd to Steve.

**MR. ZWIRN:**

Oh, I'm sure it was. I just don't know •• I haven't communicated with the County Exec to find out what his reaction was to the letter, it may very well be the same as Undersheriff Sullivan here as well. But if you can just give me a few minutes, I'm going to run out and I'll come back.

**LEG. MYSTAL:**

You got it.

**CHAIRPERSON CARPENTER:**

Thank you.

**LEG. MYSTAL:**

Thank you.

**CHAIRPERSON CARPENTER:**

In the meantime, Legislator Lindsay?

**LEG. LINDSAY:**

Well, the only thing that I wanted to say is I was at all the meetings that we've had to try and deal with this project and the meeting, the most important meeting was the one with the State Corrections people.

**CHAIRPERSON CARPENTER:**

Uh•huh.

**LEG. LINDSAY:**

And as a County on a bipartisan basis, Legislator/Executive, we went in and we asked for a couple of things from State Corrections to pare down the costs, and one of the things was to delay the construction of the phase II infrastructure to phase II, not to build it in the first phase. State Corrections never agreed to that at that table, they just listened and then they made an observation. They said your initial plans and design are so over designed that you could literally cut maybe a hundred thousand square foot out of this project and still do what you initially started out to do. That's when they suggested that we send all our design people to Albany to work with them to pair down the size of the project, not necessarily to eliminate the phase II infrastructure from phase I but to pair down the size of the project. It was their opinion that this thing was so over designed that a lot of the inflation that we've read in the papers came from the over design. I mean, there were a lot of people here, I heard that crystal clear. So, you know, we didn't get answer on the delay of the phase II infrastructure, but they did agree to help us pair down the size of the project.

**UNDERSHERIFF SULLIVAN:**

If I may? That's correct, Legislator Lindsay. Since then they still have not agreed and that's why this language has not changed. But since then they have said, "If you want us to consider paring down the core to phase I, give us hard plans and show us what you mean and how you will go forward with phase II, if necessary, in the future if you don't build as much as we originally wanted you to." They have not agreed to anything but they've said show me, and that's the process we're in the middle of.

**CHAIRPERSON CARPENTER:**

We have Public Works coming up after this meeting, so certainly we can ask the question then. But do you have any idea when those plans are going to be ready to go up to Albany?

**UNDERSHERIFF SULLIVAN:**

The short answer is no. I know I spoke to Tedd Godek, as I say, an hour ago and they're in the works now, but I don't want to speak for DPW and give you a date because I'm not certain.

**CHAIRPERSON CARPENTER:**

All right. Well, we can continue this in the next meeting.  
Legislator Bishop.

**LEG. BISHOP:**

On the same topic. Is there then a consensus on any of the issues with the State that is firm? I thought that that was •• again, I wasn't at these meetings, but I think the Levy Administration thought so, that's why their Capital Budget reflected no core for this, you know, no core for the second phase. I believe they felt that that was agreed upon, Legislator Lindsay and yourself are saying it was not, so what was agreed upon; is there anything that we can say publicly at this point?

**UNDERSHERIFF SULLIVAN:**

I believe the size of phase I, 680 which at one time had been 720, I believe that's agreed upon. And what was agreed upon was that they would dialogue and assist because they have great technical expertise to help us.

**LEG. BISHOP:**

Okay. So they agreed to a process but not to anything definite at this point.

**UNDERSHERIFF SULLIVAN:**

That's correct.

**CHAIRPERSON CARPENTER:**

Right and I agree with that assessment.



**LEG. BISHOP:**

Because the press accounts were there were numbers thrown around, a hundred million and so on, none of that is accurate or to the point where you can bank on it, it's all just ••

**CHAIRPERSON CARPENTER:**

Exactly.

**LEG. BISHOP:**

Hopeful.

**CHAIRPERSON CARPENTER:**

But, you know, also, too, the County Executive by law, you know, is required to submit a Capital Program and I guess he felt that ••

**LEG. BISHOP:**

This was accomplishable, right.

**CHAIRPERSON CARPENTER:**

So in addition to •• wasn't there reference to the suspension of the Wicks Law in this project in the Capital Program, that they're assuming that that's going to happen?

**MR. SPERO:**

The project cost was further reduced 18.9 million assuming a Wicks Law exemption would be obtained from the New York State Legislature.

**LEG. LINDSAY:**

I assume you're saving there.

**MR. SPERO:**

That's not really a Commission of Corrections issue.

**CHAIRPERSON CARPENTER:**

Exactly.

**LEG. BISHOP:**

Who's looking at that, by the way?

**UNDERSHERIFF SULLIVAN:**

And by the way, they made that very clear at that meeting. They said the County's application to be forgiven from the Wicks Law is fine with them but they have nothing to do with it, they have nothing to say about it and they're not •• and said don't bank on it in terms of your negotiations with us.

**CHAIRPERSON CARPENTER:**

I think, you know, above all ••

**LEG. BISHOP:**

Was that a consensus issue that everybody in the County agreed on?

**CHAIRPERSON CARPENTER:**

Well ••

**UNDERSHERIFF SULLIVAN:**

I don't remember anybody disagreeing about trying to get forgiveness from the Wicks Law.

**LEG. BISHOP:**

All right. Well, put me on record as one because I don't think the savings will actually materialize, but okay.

**CHAIRPERSON CARPENTER:**

Okay. But I think, you know, the process is moving forward. And I'm going to reiterate it again, it is very important that we keep communicating and keep focus and to that end, I have to give the County Executive and his people credit for the fact that we have the CFROC Committee in place, it has been meeting on a regular basis; in fact, I believe there's a meeting scheduled for ••

**UNDERSHERIFF SULLIVAN:**

Thirteen times.

**CHAIRPERSON CARPENTER:**

We've met how many?

**UNDERSHERIFF SULLIVAN:**

Thirteen weeks.

**CHAIRPERSON CARPENTER:**

Thirteen times.

**UNDERSHERIFF SULLIVAN:**

The subcommittee met every week, 13 weeks in a row; I know, I was there.

**CHAIRPERSON CARPENTER:**

Right.

**LEG. BISHOP:**

You should consider changing the name.

**CHAIRPERSON CARPENTER:**

And, you know, on a parallel track, there's a subcommittee that's been working on alternatives to incarceration with the Probation Department, so there's been an awful lot of time and energy expended on this. And again, the County Executive's people, I think this mechanism that was put in place with the CFROC Committee I think helped get us to this point, so. Is there anyone else that has any questions or comments for the Sheriff's people? Okay.

**LEG. BISHOP:**

Oh, on a different topic.

**CHAIRPERSON CARPENTER:**

Certainly, Legislator Bishop, yes.

**LEG. BISHOP:**

Okay. Since our last meeting, the Sheriff has made a personnel decision to pull the Deputy

Sheriffs out of District Court duty and replace them with Correction Officers and I just wanted to get your department's rationale on the record.

**UNDERSHERIFF SULLIVAN:**

Last year, and I don't recall the resolution numbers, but last year when the Legislature passed resolutions giving us 50 Correction Officers and 20 new Deputy Sheriffs, the language was very crystal clear. To my recollection it said the Sheriff "shall" use these human resources to address the chronic overtime problem in the Sheriff's Office; it didn't say should, could, might, it said shall. We took that pretty •• and report back. And essentially the sense of the conversations here at that time was, "If you don't cut overtime, don't come back for more." And as I recall, you've made similar statements in the press.

**LEG. BISHOP:**

And here.

**UNDERSHERIFF SULLIVAN:**

Well, we took that very seriously. Those officers actually came on board starting in January and February of this year, just four months ago, and for the first time gave us the flexibility •• literally for the first time since we got here, three plus years ago •• to address some overtime issues.

I can tell you in the first seven pay periods, I can't tell you up till today, just past the first quarter of this year as compared to overtime last year, in each division, Corrections Division and Deputy Sheriff Division, overtime this year had decreased by I believe just a tad over 29% in the correctional division over '04 and just under 9% in the enforcement division, Deputy Sheriffs. And in dollars, I think by the end of those seven pay periods compared to the year previous, we had a reduction of just shy a million dollars in overtime costs over the previous year. We intend and expect to do better with these resources, and one of the ways to do that is to replace Deputy Sheriffs in the District Court lockup with Correction Officers. This will enable us to reduce Deputy Sheriff overtime, on a percentage basis, something much more towards level such as we've done with the Correction Officers.

And overall, while we're trying to be fair with both divisions, it should not burden one division or the other out of balance, but overall our goal is to decrease the Sheriff's Office overtime bill on

a yearly basis; that's our job, that's what we're doing.

**LEG. BISHOP:**

Is it cheaper to do District Court lockup with Correction Officers or Deputy Sheriffs?

**UNDERSHERIFF SULLIVAN:**

I probably can't answer the question, I believe it will be cheaper. But here's the right question; will we reduce overtime across the board in the Sheriff's Office with this and the answer is absolutely. You can't look at one particular operation as though it lives in a microcosm.

**LEG. BISHOP:**

Over to ••

**UNDERSHERIFF SULLIVAN:**

The Sheriff is charged with operating the entire Sheriff's Office and the entire budget. So the question is not whether or not this particular function is cheaper or not, I think the answer is going to turn out to be yes but we'll see as the numbers evolve, but what it will do, absolutely, because we take those Deputy Sheriffs and we've assigned them to the Domestic Violence Unit, to the Civil Unit, to the •• we are drastically reducing Deputy Sheriff overtime in the rest of the Deputy Sheriff Division. And overall, when you net it out, we're going to have a net savings of we think very substantial proportions.

**LEG. BISHOP:**

Okay. So to get net savings of substantial proportions, you would need to have Correction Officers be cheaper than Deputy Sheriffs.

**UNDERSHERIFF SULLIVAN:**

No.

**LEG. BISHOP:**

You wouldn't.

**UNDERSHERIFF SULLIVAN:**

No.

**LEG. BISHOP:**

All right. I don't ••

**UNDERSHERIFF SULLIVAN:**

You could use fewer Correction Officers. We're going to have Correction Officers doing correction functions at District Court that they can't do now, they have to do them back at Riverhead at night because they do the booking and classification back at jail, that process can start in District Court now. And we can operate the place with fewer people. And over all, what you have to ask is how much do you reduce Deputy Sheriff overtime when you put those people back to work at Deputy Sheriff jobs.

**LEG. BISHOP:**

Right, I understand that part.

**UNDERSHERIFF SULLIVAN:**

What's pretty clear to everybody and has been clear to us for three years, Deputy Sheriffs are police officers, we train them to be police officers, they go through the exact same police academy as the Suffolk County Police Officers, side•by•side, shoulder•to•shoulder. The ones that go to District Court act as Correction Officers; they have to be disarmed before they go in there, the same as a Correction Officer. They are doing what to any observer is correctional work and that has been true. By the way, the sequence of contracts at the moment, a DS I base pay is slightly less than a CO I base pay, but that's because the contracts are leapfrogging each other. When they catch up, historically Deputy Sheriffs are more expensive than Correction Officers, but that's not •• you can't just look at that little corner of this fiscal reality.

**LEG. BISHOP:**

Is transport a Deputy Sheriff function or a Correction Officer function?

**UNDERSHERIFF SULLIVAN:**

Historically it's been a Deputy Sheriff's function in this ••

**LEG. BISHOP:**

It's discretionary, though, you can go either way with it?

**UNDERSHERIFF SULLIVAN:**

Well, that's a PERB question which is a pretty tough legal question, but I think the answer is yes. Although I bet you if we tried to change that division we would have a challenge before PERB and I would not want to predict the outcome of such; we have no such plan.

**LEG. BISHOP:**

You know, I'll leave it to the Deputy Sheriff's union and their leader to fight the battle on most of this, but the one issue that I think that my colleagues would agree with me on that we would be concerned with is that if you're pulling CO's out of the jail and now assigning them to what was formally done by the Deputy Sheriffs, isn't that going to create an overtime demand in the jail?

**UNDERSHERIFF SULLIVAN:**

The question ••

**LEG. BISHOP:**

And that was the whole point of giving you more CO's, was to ••

**UNDERSHERIFF SULLIVAN:**

Yeah and you gave us 50 of them.

**LEG. BISHOP:**

Right.

**UNDERSHERIFF SULLIVAN:**

And we're using them. And what we're telling you is you may have an increase of expense over here of modest proportions, overall the decrease in expense across the board is going to be substantial. What we're telling you is we're going to save a lot of overtime and it's starting to happen right now.

**LEG. BISHOP:**

And that's because even though their base pay is higher, it's because you're going to use fewer CO's to replace the many Deputy Sheriffs that you're taking out of there; is that, at its essence, what we're doing?

**UNDERSHERIFF SULLIVAN:**

And because those Deputy Sheriffs are going into commands where there was a lot of Deputy Sheriff overtime and it is eliminating that, and you have to net all of these figures ••

**LEG. BISHOP:**

Right.

**UNDERSHERIFF SULLIVAN:**

•• to find out the answer to the question, as I believe you said in the paper, "We keep giving them people and overtime keeps going up," which wasn't true at the moment it was said.

**LEG. BISHOP:**

Yes, it was.

**UNDERSHERIFF SULLIVAN:**

No, it was not.

**LEG. BISHOP:**

It's not?

**UNDERSHERIFF SULLIVAN:**

No, you were reading the figures from the year before with individual very high overtime which is a result of collective bargaining agreements that we have no control over.

**LEG. BISHOP:**

When will we know if this experiment works, when's a good time to ask?

**UNDERSHERIFF SULLIVAN:**

It's working right now, I just gave you the first set of figures. Probably on a quarterly basis we expect it to continue to go down.

**LEG. BISHOP:**

So at the end of the quarter would be a good time to analyze it.

Okay, thank you very much.



**CHAIRPERSON CARPENTER:**

Okay, thank you. Are there any other questions for the Sheriff's Department? Ben, you had something you wanted to add.

**MR. ZWIRN:**

Yes, in response to Legislator Mystal's request. The County Executive is looking at this letter for the first time, he just saw it •• I had copies sent back. And the reading of it initially is the same as Jim Spero's reaction, but we also now have the benefit of the Undersheriff having spoken to the Commissioner of Corrections. So we may need •• their initial reaction was disappointment, but there just may need to be a clarifying letter to straighten this out.

**LEG. BISHOP:**

That's what I said but he yelled at me.

**MR. ZWIRN:**

No, I'm just saying, but it's the first time the County Executive has seen this when we sent a copy back now, it's probably somewhere in transit. But his initial reaction was the same as Budget Review Office, Jim Spero, it was a knee jerk reaction saying that he was disappointed, but he has additional information out so maybe we can get it resolved soon.

**CHAIRPERSON CARPENTER:**

Thank you. Thank you very much. Okay, thank you, gentlemen.

I do believe that the Police Department, Chief Moore, has the information on the 4th Precinct; if you would come forward, and then we will move to the agenda.

**CHIEF MOORE:**

Thank you, Ms. Chair, for giving us the time to get the most current information. I think all of you know Inspector Ty Mojica, M•O•J•I•C•A, he's my Doug Sutherland. And with that, Inspector Mojica will give you an overview of where we stand with the 4th Precinct and then of course any questions you have, we would be happy to answer or we'll get back to you with the answers. Inspector?

**INSPECTOR MOJICA:**

Okay, for the 4th Precinct, we have \$1.5 million in planning money that was approved, and currently there's a proposal for \$16 million in construction money, \$500,000 for site improvement and \$600,000 for additional planning funds that's been proposed. And right now

there's also consideration being taken on whether we're going •• for a site, whether it would be in the Dennison Building or on the North Complex meaning on the north side of Veterans Highway. And that's pretty much it in a nutshell there.

**LEG. MYSTAL:**

Angie?

**CHAIRPERSON CARPENTER:**

My question is this consideration for moving it across the road to the Dennison Building, is that in any way, looking at doing that, going to add time to the completion of the project? Because that is of utmost concern that we move forward in as expeditious a manner possible because we have lost literally years in where we should be in the process and where we actually are.

**CHIEF MOORE:**

We're not sure if it will add significant amount of time to •• from point of construction to finished product. The examination of these alternative sites is being done concurrently, so I'm not sure. But I don't think that it would be a significant amount of time, we would have to ask, you know, people from other agencies within Suffolk County because as you know, they're the ones who would be actually doing or overseeing the building.

**CHAIRPERSON CARPENTER:**

Okay. Well, again, as I said on another issue earlier, we do have Public Works coming in next so that will be something I will ask them and perhaps we can get a more focused answer, and not any disrespect to you.

**CHIEF MOORE:**

And if you could share that with us, because I haven't had the opportunity.

**CHAIRPERSON CARPENTER:**

I will do that, okay.

**LEG. MYSTAL:**

Madam Chair?

**CHAIRPERSON CARPENTER:**

I'm sorry. Oh, I'm sorry, Legislator Mystal.

**LEG. MYSTAL:**

I may be wrong on this but I think the reason why that some people, whoever, was considering moving the precinct from where it is now to next to the Dennison was because in order for you to renovate the 4th Precinct where it is now, you will have to push other buildings around? You know, I don't know if that's been resolved, but the concern that I heard the first time that the proposal to change the site from where it is now to around the Dennison was because the renovation to the 4th Precinct will require for you to move part of the building of the District Attorney's Office and other buildings that are around; is that •• has that been resolved?

**CHIEF MOORE:**

I'm not sure about that, sir. One of the things that has been under discussion is making the 4th Precinct a multi-story building, at least two floors. One of the major issues, as always with our precincts, is parking. So there may be some shifting around for the sake of parking, but I'm not aware of any wholesale moving of buildings, that would be an undertaking that ••

**LEG. MYSTAL:**

I heard that proposal or that reasoning from the County Executive's Office. Can I ask Ben Zwirn to again explain it because they are the ones that I heard them saying that, you know, it would be impossible •• well, not impossible, it would be much more costly to renovate where it is, if we were to move it to the Dennison Building it would be better because then we won't have to move the District Attorney and blah, blah. Okay, anyway, Ben •• can I?

**CHAIRPERSON CARPENTER:**

Please.

**MR. ZWIRN:**

My understanding is that there is going to be a master plan looking at the North County Complex and the whole •• the whole complex and they were concerned, they wanted to have that completed before they did the renovation or expansion of the 4th Precinct. They're also doing a comparative study as to the best location, whether to put it behind the Dennison Building or leave it where it is. I think they just wanted to get that study completed before they started construction and I think Public Works, as Chief Moore said and as you stated, Madam Chair, that Public Works would be here and they could probably shed some light on it

unfortunately at the next committee, unless somebody comes in early.

**CHAIRPERSON CARPENTER:**

All right. And I know that that study for the North Complex was something that was ongoing for quite a while and certainly it should have been completed by now. And again, I've got to say this because it is so important, that we cannot do anything that's going to add time to the completion of the renovation of that deplorable, deplorable building, it's just not safe. Legislator Nowick?

**LEG. NOWICK:**

Yeah, I think that Legislator Carpenter has just said what I was about to say. Most importantly, and I know we have to do studies and I understand all that, but most importantly, if we're going to take a step forward and then two steps back, that is our concern. And it's the people that work in the building that deserve better and I think that's where our concern is here.

**CHAIRPERSON CARPENTER:**

And also the community that's serviced by the 4th Precinct, because if you're in conditions that are not appropriate, that are not safe, you know, you're going to have more people out sick; I mean, really, anyone who has walked through there would be aghast.

And just for the record, Counsel has informed me that study for the North Complex was delivered March of last year, and there are those that are saying it's a draft study or those that believe it's the completed study, whatever it is, it was delivered a year ago. So I think that we need to move forward. Legislator •• oh, I'm sorry, Legislator Lindsay and then you want to be on the list?

**LEG. LINDSAY:**

It's really a question maybe for the Inspector. I don't think there's anybody that disagrees that the 4th Precinct is in pretty bad shape and needs to be renovated. Is it undersized, do we need to expand it as well?

**CHIEF MOORE:**

Yes.

**LEG. LINDSAY:**

Yes. By how much? I mean, is it dramatically under sized?

**CHIEF MOORE:**

Well, you know, interestingly enough, when I first started in the Police Department 30 years ago, Police Headquarters was one-half of what is now the District Attorney's Office. So the expansion in services, commands and in particular the other agencies and organizations that are now welcome into police facilities, which when the 4th Precinct was first built was unthinkable is now routine, Probation, Parole, Federal agencies. So yes, there isn't •• there are needs for more room.

If you were to look at •• a prime example would be the old 6th Precinct as compared to the new 6th Precinct. It's not only a question of having enough room to meet current needs, as all of you well know, and I think DPW can help you to appreciate this more. We need to consider what's our future and for the life of the building, is it going to be, you know, reasonably sized.

**LEG. LINDSAY:**

Okay. But we have just •• you know, for the last few years have been going through a process of rebuilding, renovating our precincts and we've completed a number of them.

**CHIEF MOORE:**

Yes.

**LEG. LINDSAY:**

What is the comparison in numbers? What is •• you know, like the new 6th Precinct, how many square feet is it compared to the existing 4th?

**CHIEF MOORE:**

I'm sorry, I can certainly get you that information but I don't have that with me right now; perhaps DPW can give you a ballpark figure.

**LEG. LINDSAY:**

I'm just trying to figure it out, do we need to double the size of it, do we increase the size by 25%? Nobody disagrees with the renovation, everybody says we need to renovate the building.

**CHIEF MOORE:**

I wish I could help you, I'm just not •• you know, intuitively, I mean, I've worked in every one of the precincts, except for the 7th, at one time or another and the precincts appear to be roughly twice the size of the former facilities.

**LEG. LINDSAY:**

Okay.

**CHAIRPERSON CARPENTER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. Is everyone done on the 4th Precinct? Because ironically ••

**CHAIRPERSON CARPENTER:**

No.

**LEG. LOSQUADRO:**

Oh, okay. Ironically he mentioned the 6th Precinct which since I had them here, that's what I want to talk about, but I will defer until you're done on the 4th.

**CHAIRPERSON CARPENTER:**

Okay, thank you. Legislator Caracciolo.

**LEG. CARACCILOLO:**

Madam Chair, let me take this opportunity to thank you for your indulgence as Legislator Lynne Nowick and I were out of the room being briefed on another very important public safety matter, Broadwater, by our Budget Review Office and the study that is contemplated in that regard.

On the issue of the 4th Precinct, Chief, let me also take this opportunity to thank you for providing my office with some very valuable statistics relating to out of Police District Services to villages and towns in Suffolk County, and also statistics relating to cell phone citations; very interesting numbers. We need to do a lot more, obviously, when I look at the year•to•date enforcement effort in that regard.

But on point, the 4th Precinct, is there a concurrent proposal, Madam Chair, to relocate the Highway Patrol Unit from the Bay Shore Mini•Center to somewhere else? That's a separate ••

**CHAIRPERSON CARPENTER:**

Yeah, it's not on the Public Safety agenda, it is on the agenda of one of the other committees.

**LEG. NOWICK:**

Economic Development.

**LEG. CARACCILOLO:**

Okay. I bring that up in this context because when we look at the facilities across the street where Dennison is located, it seems to me, and I heard you make reference to parking is always an issue.

**CHIEF MOORE:**

Yes.

**LEG. CARACCILOLO:**

There seems to be more than sufficient parking on that side of Vets Highway to handle I think the needs of perhaps one of these two facilities being directed there. And I would submit that it should be the Highway Patrol Bureau or division; in Nassau we called it bureau, I don't know what you call it here. But there, you know, attempts have been made and now have succeeded in locating that Highway Patrol organization in close proximity to the LIE because that's predominantly the road that is patrolled, although in Nassau we did have Precinct Enforcement Highway Patrol Units which I don't believe Suffolk has outside of Motorcycle.

**CHIEF MOORE:**

No, sir. And motorcycle units are assigned to our Highway Patrol as well, they're not precinct units.

**LEG. CARACCILOLO:**

Right, but I'm saying you don't have uniform patrol sector cars out of Highway assigned to each precinct.

**CHIEF MOORE:**

No, sir.

**LEG. CARACCILO:**

Yeah, in Nassau we did. So with that said, what are your thoughts about that, locating the Highway Patrol facility instead of at the Western Campus which is at the west end of the LIE, a roadway that I would guesstimate •• and I travel it all the way out to the end quite frequently and I live there •• you know, that's probably a 25, 30 mile stretch of roadway that Highway patrols; why not try to locate that in the center somewhere of their responsibility, area of responsibility?

**CHIEF MOORE:**

Well, thank you for your concern about our Highway Patrol. The ideal location for our Highway Patrol would be between the Long Island Expressway and Sunrise Highway which are the two major roads that our officers patrol. Unlike many other agencies, our officers very rarely relieve, or turn out the term is sometimes used, from the precinct. They, as most of you know •• and I'm sure you do, sir •• they relieve, they change their tour at a firehouse or, you know, at some point where they have access to telephone and other facilities.

So the physical location of the Highway Patrol, while we would rather have it a little more centered and certainly between the Long Island Expressway and Sunrise Highway, we were under a bit of time pressure when it came to moving from the Bay Shore facility. I think the contract with New York Institute of Technology expires at the end of this year or shortly before the end of the year.

**CHAIRPERSON CARPENTER:**

It's Touro.

**LEG. CARACCILO:**

Touro.

**CHIEF MOORE:**

I'm sorry, Touro, Touro Law School, and so we needed to move quickly. And thanks to, you know, support from members of Legislature, the County Executive, the community college. That was expedient, that was something that I believe the college is going to be taking charge



of once our Highway Patrol is relocated and it buys us more time for DPW and the Department of Real Estate to examine alternative sites for our Highway Patrol. As it stands right now, that is not going to be the permanent site for our Highway Patrol, it's a temporary site.

**LEG. CARACCILOLO:**

And what is the thinking in terms of a permanent site; what's the long view? In other words ••

**CHIEF MOORE:**

Again, a facility ••

**LEG. CARACCILOLO:**

More centralized?

**CHIEF MOORE:**

Yeah, someplace, again, between the Long Island Expressway and Sunrise Highway with a good perpendicular road system that would allow officers to get to either of those two roadways.

**LEG. CARACCILOLO:**

Are the sector cars on Sunrise Highway maintained 24/7?

**CHIEF MOORE:**

Yes; yes, they are.

**LEG. CARACCILOLO:**

Because I rarely see them down there, to be honest with you. I see them on the Expressway, you know, their presence is well-known and established. Okay, the 4th Precinct now.

**CHIEF MOORE:**

Yes.

**LEG. CARACCILOLO:**

What is the •• what's driving this decision to locate it across Veterans Highway instead of here in the North Complex; I mean, what ultimately is behind that? And then what would become of the existing 4th Precinct facility in terms of the space management plan?

**CHIEF MOORE:**

In both cases, I'm sorry, I just don't know. I think that the •• and maybe you can help me, Mr. Zwirn. But as far as locating the facility around the area of the H. Lee Dennison Building, that is one possible site, it's not something that the Police Department is focused on as the site.

**LEG. CARACCILO:**

And this would be new ••

**CHIEF MOORE:**

And I think it's just a matter of examining options.

**LEG. CARACCILO:**

Well, you're certainly going to try to locate it on existing County•owned property instead of purchasing land.

**CHIEF MOORE:**

Yes, yes.

**LEG. CARACCILO:**

Are there any other holdings •• maybe Jim Spero could answer this question, in this vicinity •• that the County owns that would be large enough to accommodate a new 4th Precinct? No.

**MR. SPERO:**

The two likely places would be the Dennison Building or the North Complex here.

**LEG. CARACCILO:**

Okay. Chief, let me ask you because a number of us operate under the premise that historically, when the district was created, basically the old town Police Departments, Babylon, Smithtown Police, etcetera, were carved up in a way that they wound up with a police precinct and the new Suffolk County Police Department being located in their township.

**CHIEF MOORE:**

Yes, sir. As you know, five of the ten town police departments were combined into a single Police Department. However, at the time, aside from uniform changes and, you know, ranks changing ••

**LEG. CARACCILO:**

And a bigger headquarters; I heard that comment before.

**CHIEF MOORE:**

And that, there wasn't a lot of difference geographically or even in terms of sector alignment as we're discovering and exploring today. So to answer your question directly, absolutely that is the case.

Over the years there have been modifications where that it's no longer the case. That, for example, the 5th, 6th, 7th Precincts are exclusively in the Town of Brookhaven, that's really no longer true, they've kind of bled into other areas. But by and large yes, that is the case, the old town departments became precincts within the new Police Department.

**LEG. CARACCILO:**

Okay. Is there any sensitivity in the department's view with keeping a facility such as the precinct building inside those town jurisdictions, or is that just cosmetic?

**CHIEF MOORE:**

There's •• I mean, there's •• what's ever best for the people of Suffolk County, and the Police Department, when it comes to public safety, likes to think that we know as much as anyone about that as far as physical plant locations. You know, when I started in the Police Department I was, of course, a foot patrol officer, we didn't have portable radios, you had a whistle, you had a six•shooter, that sort of thing. Today, the technology is such that the driving force behind much of Police Department •• well, a driving force, ability to communicate and move quickly from one site to another, improvements in our road systems, improvements in traffic management, improvements in technology that allow us to communicate much more effectively, you know, those kinds of things make physical location less essential than it was at one time. Physical location becomes important because, for example, in the case of an arrest, we'd rather not have our officers travel large distances, that's not always possible, especially out in the Brookhaven area. But •• so that would be a consideration, the amount of time an officer travels, you know, to the precinct for administrative purposes, to bring prisoners that have been placed under arrest, that's a consideration. Other than that, physical plant nowadays is less an issue when it comes to deployment of officers.

**LEG. CARACCILO:**

And final question, so from a Police Department perspective, perhaps not an administrative perspective or from this horseshoe a Legislative policy perspective, it's not relevant where that facility is located.

**CHIEF MOORE:**

No. We understand the pressures that our elected officials are under and we try as much as possible to support your efforts. If there's an area that would •• there would be an economic benefit in addition to the law enforcement benefit, that's of course, you know, fine with the Police Department, as long as there are no compromises in public safety. Because as you know, for example, the Long Island Expressway might as well be the Atlantic Ocean because crossing from one side of the expressway to the other is •• can only be done ••

**LEG. CARACCILO:**

The artificial boundaries is what you're saying.

**CHIEF MOORE:**

Yeah, yeah. So that aside, we •• other than that which would have a public safety ••

**LEG. CARACCILO:**

But perhaps there's someplace else, another location in the Town of Smithtown, where those residents have become accustomed to having a police presence that would benefit from an economic standpoint of having that precinct building relocated somewhere else in the Town of Smithtown. I mean, that's something that if I were a representative of Smithtown I would certainly look into. Thank you.

**LEG. KENNEDY:**

Mr. Chairman? Madam Chairman?

**CHAIRPERSON CARPENTER:**

Where is that coming from?

**LEG. KENNEDY:**

Madam Chairwoman?

**CHAIRPERSON CARPENTER:**

Yes, Legislator Kennedy. And just before you begin, I've just been informed that we are required to have a public hearing on the Capital Budget at one o'clock, so we're going to have to suspend this meeting for hopefully just five minutes.

**MS. BURKHARDT:**

We only have two speakers, so ten minutes.

**CHAIRPERSON CARPENTER:**

So with that in mind, quickly, Legislator Kennedy.

**LEG. KENNEDY:**

Okay. As a guest and not a committee member, however, as the Legislator from the 12th Legislative District in which the 4th Precinct sits, I've got a very keen interest in what's going on here with a variety of things. First of all, you're aware I guess that the resolution for the planning dollars was passed.

**CHIEF MOORE:**

Yes, sir.

**LEG. KENNEDY:**

Okay. The 4th Precinct is the only precinct I guess at this point that's not undergone renovations to date; is that correct?

**CHAIRPERSON CARPENTER:**

Yes.

**LEG. KENNEDY:**

Sixteen thousand square feet, when recommended now is probably about a 30,000 square foot plant?

**CHIEF MOORE:**

Yes.

**LEG. KENNEDY:**

Okay. Does the 4th Precinct do coverage on the Long Island Expressway or is that exclusively Highway?

**CHIEF MOORE:**

Well, it's a good question, sir. And by the way, it's nice to meet you.

**LEG. KENNEDY:**

Thank you. Please to meet you, Chief.

**CHIEF MOORE:**

It's a good question. Generally, Highway Patrol is responsible for patrolling the Long Island Expressway and Sunrise Highway. However, having said that, the nature of police work is such that we are very reluctant to say this is exclusively your jurisdiction. There are, for example, what we call scheduled events, for example the golf outing that they had a little while ago which was not even in the Police District was heavily, heavily represented by the Suffolk County Police Department. So we move our personnel situationally or under exigent circumstances, for example, the snow storms, and we had quite a number of pretty dramatic snow storms this year. No, officers are moved where the need is greatest.

**LEG. KENNEDY:**

I understand, Chief. And as a matter of fact, I'm not looking, you know, to try and put you into one pigeon hole or another. However, that being said, Highway predominantly patrols LIE and Sunrise.

**CHIEF MOORE:**

Yes.

**LEG. KENNEDY:**

The 4th Precinct predominantly patrols those sectors that are within the precinct itself.

**CHIEF MOORE:**

Yes, sir.

**LEG. KENNEDY:**

That's a true statement.

**CHIEF MOORE:**

Yes.

**LEG. KENNEDY:**

Okay. I think I'm going to graciously defer and not keep, Madam Chairwoman, going. But I just want to reiterate on one thing, I guess, that my colleague, Legislator Caracciolo, seemed to go ahead and hit on. From the department's perspective, you would not necessarily advocate or say that you'd prefer one physicality to another, you're looking to go ahead and address the issues of a plant that's not operational anymore.

**CHIEF MOORE:**

Yes, sir.

**LEG. KENNEDY:**

Okay. And in probably as expeditious a timeframe as possible, correct?

**CHIEF MOORE:**

Yes.

**LEG. KENNEDY:**

Thank you.

**CHAIRPERSON CARPENTER:**

Thank you very much. We are going to recess for just hopefully no more than 10 or 15 minutes while we convene the public hearing on the Capital Budget.

**(\*Brief Recess Taken: 1:01 P.M. • 1:15 P.M.\*)**

**CHAIRPERSON CARPENTER:**

Thank you very much for your patience, I apologize that we had to break but we'll try to wrap this up before the next meeting starts in 15 minutes. Chief Moore, we were discussing the 4th

Precinct and ••

**LEG. BISHOP:**

He's still here?

**CHAIRPERSON CARPENTER:**

Yes, he is, he loves it. We were •• you also •• the subject of the Highway Patrol was raised and I, quite frankly, was a little bit disappointed that I didn't know that all of this discussion was taking place to temporarily house them. I heard just this morning and I did not realize when I heard that it was temporary, so I'm a little bit more encouraged to think that it's temporary, but I was also a little bit disappointed not to hear any reference made to the Highway Patrol going in to the Visitor's Center on the LIE because I thought that was something that was still very much alive and something being worked on. So because of time constraints I'm not going to go into it now, but I would ask that you get back to me and let me know what the status of that proposal is.

**CHIEF MOORE:**

I can't imagine •• you know, first of all, let me apologize that you were not advised. My understanding with this move to Suffolk Community College is this is something that was done because of the time pressure involved. It was never, certainly not of the college nor of the Police Department that this would be a permanent site for Highway Patrol.

**CHAIRPERSON CARPENTER:**

Okay.

**CHIEF MOORE:**

It just so happens that the Western Campus, as you well know, is quickly growing beyond the capacity of the buildings. And one of the reasons the college was so open to this is the modular buildings that are being put in for Highway Patrol are going to be taken over by the Community College when Highway Patrol finds a more appropriate location for our Highway Patrol. And yes, I do believe that the rest area at •• on the Long Island Expressway is a potential site. I'm not sure, another thing that had been discussed, I'm not sure where we are with that, was adding a second floor to the 4th Precinct and having Highway Patrol occupy that location on a permanent basis. So there are a number of notions as to where it might be.



**CHAIRPERSON CARPENTER:**

I'd be a little less enchanted with that ••

**CHIEF MOORE:**

Yeah.

**CHAIRPERSON CARPENTER:**

•• option because I think it might cause that project to be extended out; and again, time is of the essence.

The other issue that we left unfinished was the bill 1113 on the seizure of motor vehicles. And Counsel has informed me that she has been working with Counsel and I have a copy of the changes that were made; in fact, there were 13 changes. Every one of the changes that the department had requested have been made in my bill so I'm sure that there's going to be no problem and we'll move forward with it today.

**CHIEF MOORE:**

I don't think so either.

**CHAIRPERSON CARPENTER:**

Okay, thank you very much. Legislator Losquadro, I'm sorry.

**LEG. LOSQUADRO:**

That's okay.

**CHAIRPERSON CARPENTER:**

You had a question on the 6th Precinct.

**CHIEF MOORE:**

Yes, sir.

**LEG. LOSQUADRO:**

Sixth Precinct.

**CHIEF MOORE:**

Sixth Precinct, yes.

**LEG. LOSQUADRO:**

I have been having the discussion with the Commissioner for some time over the fate, if you will, of the former 6th Precinct in Coram ••

**CHIEF MOORE:**

Yes.

**LEG. LOSQUADRO:**

•• as to its future use. I have recently put in writing formalized my requests and then the previous statements made regarding that facility, not only to the Commissioner but to the Department of Public Works and to the entire Space Management Committee. I recently did receive a reply from the Commissioner regarding that but there seems to be some miscommunication and perhaps this is what is causing the stall in the process.

The Commissioner states in his letter that it is his intention to await the completion of repairs to the building; Department of Public Works, Space Management tells me they cannot commence work on the building until a recommendation is made by the Police Commissioner. So unless a meeting of the minds can happen here, that facility is going to continue to fall into disrepair. And this is sort of the broken window theory, if you are familiar with that?

**CHIEF MOORE:**

Yes, sir.

**LEG. LOSQUADRO:**

You never let something fester. I would like to see that facility be cleaned back up, the grounds are beginning to become littered. Not only do we not have a solid police presence, obviously you have the sector cars, but that police presence in that building, you're now seeing that building begin to become dilapidated. I would very much like to see it be occupied, it would be in the best interest of the community and in the best interest of the Police Department, as I enumerated in my letter. There are obviously units within the Police Department that lack adequate space, I believe this facility could readily be utilized. Mentioned in that letter was

possibly a partial use by the Probation Department, that would be a wonderful solution. But I suggest that there •• an understanding be reached between the Department of Public Works and the Commissioner's Office as to what has to be done to move this process forward, because the two are at loggerheads with each other.

**CHIEF MOORE:**

An excellent suggestion, sir, and I will make sure we get their minds together.

**LEG. LOSQUADRO:**

Thank you very much.

**CHIEF MOORE:**

And I'll get back to you.

**LEG. LOSQUADRO:**

Thank you.

**CHAIRPERSON CARPENTER:**

Okay, I think we will move to the agenda or ••

**LEG. CARACCILO:**

Just briefly, Madam Chair? I'd like to take this opportunity to thank Commissioner Williams for attending Saturday's funeral services for Heidi Behr in Riverhead. And also for your input, in a resolution that will be laid on the table to memorialize her death as well as Mr. Stone with an appropriate County Memorial. Thank you very much, Commissioner.

**CHAIRPERSON CARPENTER:**

Okay, then let us move to the agenda

### **TABLED RESOLUTIONS**

***2059•04 • To prevent misuse of Volunteer Ambulance Service in Suffolk County (Bishop).***

**LEG. LINDSAY:**

What are you doing, David?

**LEG. BISHOP:**

What's this one.

**CHAIRPERSON CARPENTER:**

The misuse of volunteer ambulance service.

**LEG. BISHOP:**

This is the one that the County Attorney has a problem with.

**CHAIRPERSON CARPENTER:**

All right, so we'll make a motion to table.

**LEG. NOWICK:**

Second.

**LEG. CARACCILO:**

Second.

**CHAIRPERSON CARPENTER:**

All those in favor? Opposed? ***The resolution is tabled (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

**LEG. BISHOP:**

I don't have a problem with it, however.

**CHAIRPERSON CARPENTER:**

Okay, that takes us to ***2290•04 • Streamline Emergency Medical Services (EMS) coordination and improve rescue response time (Bishop).*** This is the bill that the Commissioner spoke to earlier. Legislator Bishop?

**LEG. BISHOP:**

Motion to approve.

**CHAIRPERSON CARPENTER:**

And I will make the second on that. All those in favor? Opposed?

***The resolution is approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

Congratulations, Legislator Bishop, for your patience, if nothing else.

**LEG. BISHOP:**

Well, thank you for your leadership, Madam Chair, which I will speak more on when we pass it on Tuesday. Thank you.

**CHAIRPERSON CARPENTER:**

***1113•05 • Adopting Local Law No. 2005, a Local Law to permit the seizure of vehicles to protect Suffolk residents from unlicensed drivers (Carpenter).*** I'll make that motion to approve.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON CARPENTER:**

Second by Legislator Losquadro. All those in favor?

**LEG. MYSTAL:**

On the motion.

**CHAIRPERSON CARPENTER:**

On the issue and on the motion, and I see that ••

**LEG. BISHOP:**

It authorizes it?

**CHAIRPERSON CARPENTER:**

Well •• all right, Legislator Lindsay.

**LEG. LINDSAY:**

My question is simply do we have enough space to confiscate and store all these vehicles?

**CHAIRPERSON CARPENTER:**

I guess we'll add them to the ones that we get for the DWI seizures. But yes, because you heard the department say they didn't have a problem, they appreciated the additional tool that this would give them.

**LEG. LINDSAY:**

Did the department say that?

**CHAIRPERSON CARPENTER:**

Yeah.

**LEG. LINDSAY:**

I didn't hear that.

**CHAIRPERSON CARPENTER:**

That they appreciate this tool, yeah.

**LEG. LINDSAY:**

Okay. Because ••

**CHAIRPERSON CARPENTER:**

Chief Moore said that when he was up here.

**LEG. LOSQUADRO:**

If I may?

**MS. KNAPP:**

It's may, not shall.

**CHAIRPERSON CARPENTER:**

Yeah, and it's "may" not "shall". So if space becomes a problem, they may, they don't have to.

**LEG. LOSQUADRO:**

If I could.

**LEG. BISHOP:**

How do they decide when it's may?

**LEG. LOSQUADRO:**

Legislator Lindsay, if I may? I'm sorry, through the Chair?

**CHAIRPERSON CARPENTER:**

Go ahead, Legislator Losquadro.

**LEG. LOSQUADRO:**

In my former career working in insurance, I used to do investigations and I frequented the Westhampton Impound facility.

**LEG. LINDSAY:**

Were you the repo man?

**LEG. LOSQUADRO:**

No, but if you set fire to your vehicle, you didn't want me to come look at it because I would deny your claim. But I frequented the Westhampton Impound Facility and it's quite large and there always seemed to be adequate space and open space no matter when I went. So I would imagine we do have the space out there.

**LEG. NOWICK:**

Good.

**CHAIRPERSON CARPENTER:**

Okay.

**LEG. BISHOP:**

Now ••

**CHAIRPERSON CARPENTER:**

Legislator Bishop.

**LEG. BISHOP:**

Just a bunch of questions. If someone has a suspended license they have no license, correct?

**LEG. LOSQUADRO:**

Temporarily.

**LEG. BISHOP:**

So their car would be taken away.

**CHAIRPERSON CARPENTER:**

Well, there are a number of references to this, especially in these changes that I'm looking at now. But it's not just for, you know, someone who had an automatic suspension because they neglected to pay their car insurance, these are people that had ••

**MS. KNAPP:**

Needs a predicate offense.

**CHAIRPERSON CARPENTER:**

Needs a predicate offense, that's the legal terminology.

**LEG. BISHOP:**

Okay, that's what I want explained to me. So if Counsel can explain that part to me so I can ••

**CHAIRPERSON CARPENTER:**

I'll let Counsel do that.

**LEG. BISHOP:**

Because I don't want the person for, you know, monetary reasons to get thrown into this category and then we compound the problem with something that's off ••

**CHAIRPERSON CARPENTER:**

Right. Counsel, please.

**MS. KNAPP:**



Yeah. There were changes made right up until five o'clock last night and basically Lieutenant Armet •• oh, here's Lieutenant Armet •• has been the most influential in basically crafting a piece of legislation that will work for the Police Department and accomplish the Legislator's goals, which he understood quite well. And there is a predicate offense now and it •• the Commissioner is certainly not mandated to seize, he may seize and I think that in part is in recognition of the fact that if somebody suspended just because they didn't pay their insurance in a timely fashion, then that would be a case where he might direct the officers to exercise their discretion.

Let's see, it has been amended so that it does cover people whose license or privilege to operate a motor vehicle is suspended or revoked, and that differentiates it just from somebody who is driving with a suspended license.

**LEG. BISHOP:**

Well, it says it's authorizing suspended you just said.

**MS. KNAPP:**

Yes, but there is a slight difference in the terminology now from what it was before. It does require a predicate offense, you have to have been convicted before for this ••

**LEG. MYSTAL:**

Madam Chair? Madam Chair?

**CHAIRPERSON CARPENTER:**

Counsel is speaking, so when she's done you're next.

**LEG. MYSTAL:**

I know, after.

**CHAIRPERSON CARPENTER:**

Okay.

**LEG. BISHOP:**

Okay. So if you get •• I'm sorry, why don't you finish before I go.

**MS. KNAPP:**

Well, I'm going to let •• it looks as though •• did you want to add something, Lieutenant Armet?

**LIEUTENANT ARMET:**

My name is Lieutenant Armet, I'm in the Commissioner's office.

**LEG. LOSQUADRO:**

Can you turn the microphone on, sir? The top button closest to you.

**LIEUTENANT ARMET:**

My name is Lieutenant Armet, I'm in the Commissioner's Office of the Suffolk County Police Department. The question is whether a person can have their car seized because they have a suspended license. As the law is written, the vehicle can be seized, the forfeiture would require that that person have a prior conviction for a suspended license or a conviction for unlicensed operation.

**LEG. BISHOP:**

Okay.

**LIEUTENANT ARMET:**

The Commissioner has also indicated that he wants to use this as a tool and he's asked that it be discretionary. His intent is to focus on those with suspended licenses that are multiple and related to alcohol•related suspensions.

**LEG. BISHOP:**

Okay. What •• all right. I don't want to put road blocks and it sounds like you want to use it the right way, but I remain concerned. The predicate offense could be just a prior suspension; how many suspensions are there in Suffolk County right now? There must be tens of thousands.

**LIEUTENANT ARMET:**

I can say that last year there were 17,000 summonses issued for a suspended license or arrests

involved in that offense.

**LEG. BISHOP:**

Okay, summonses issued doesn't mean notices from the State, right? Presumably a lot of people have suspended licenses and ••

**LIEUTENANT ARMET:**

The reasons for suspensions are numerous, they can have suspensions for insurance lapse ••

**LEG. BISHOP:**

Right, that's what I'm concerned about.

**LIEUTENANT ARMET:**

•• they can be for failing to pay a fine, for failing to take an alcoholic test for driving while intoxicated.

**LEG. BISHOP:**

Right. There are many drivers in Suffolk County, I'm sure, who are in the suspended category for insurance lapse and/or State fee lapse, right, money reasons, right? And I just don't want to get these people caught up in this new law if that's not your intention.

**CHAIRPERSON CARPENTER:**

That was never the intent and I think that Counsel in the changes ••

**LEG. BISHOP:**

So maybe you should write something into there that does that.

**MS. KNAPP:**

Well, the only comment I would make is that you have to remember that these people who are being stopped would not be stopped because of a reason like they didn't pay a fee, because clearly the officer stopping them would have no way of knowing it, so they would be stopped for some traffic offense; at that point in time, the officer would be able to ascertain the circumstances. And as Lieutenant Armet has said, a forfeiture could only take place if there had been a previous suspension.

**LIEUTENANT ARMET:**

There would be a previous conviction for a suspension which is different ••

**LEG. BISHOP:**

In what sense?

**LIEUTENANT ARMET:**

•• or unlicensed operation also is a possible precondition.

**LEG. BISHOP:**

And how can you simply have discretion? There must be a standard, you just can't apply the law based on a discretion; correct, Counsel?

**MS. KNAPP:**

We have built into this law the ability for the Police Commissioner as opposed to the County Attorney to issue the rules and regulations under which this law would be administered. So that that would •• what would probably happen •• and you know, obviously I would defer to Lieutenant Armet and the Commissioner •• is that the Commissioner would set up some guidelines for the police.

**LEG. BISHOP:**

All right. I'm, with great respect, going to suggest that perhaps this measure could stand some more fine tuning. The concern I have is that the Legislature just can't cede to the Commissioner discretion to write standards on a law, that doesn't sound like it's legal to me right off the bat. And second of all, I think we all share a concern about, you know, ensnaring •• is that a word •  
• getting people caught up in this that we don't truly intend. I assume that the sponsor is after reckless, repeat offenders and I would agree that we should write some legislation that gives us greater power to get those people off the streets and take away the dangerous instruments from them, to wit the car. But I don't know if this one is ready yet and I really would hate to do something that we didn't intend.

**CHAIRPERSON CARPENTER:**

I would like to just say something. Certainly it wasn't my intent to snare or entrap someone who inadvertently didn't pay their car insurance and their license was suspended and they

didn't even realize the bill had arrived and forgot or what have you, but you know something? What happens to the poor person who is in their car or walking across the street and gets hit by the person that inadvertently didn't pay their car insurance and gets hit by an uninsured vehicle?

**LEG. BISHOP:**

There's a State ••

**CHAIRPERSON CARPENTER:**

And has millions of dollars worth of damage. I mean, there was •• and what really got me to look at this whole issue was the fact that over the years it seems like almost certainly the vast majority of times that you hear about a tragic accident, the driver of the vehicle had a suspended license or unlicensed and it seems to be a pattern. So we need to give the Police Department that tool.

And I think that certainly anyone who is being appointed and confirmed by this body as the Police Commissioner, we have to have confidence in them that they are going to be judicious and use these tools in an appropriate fashion. So I don't have a problem giving them that latitude to set up the rules for enforcing that. Legislator Losquadro. I'm sorry, Legislator Mystal.

**LEG. MYSTAL:**

Thank you. I do understand the intent of the bill, I do understand what the sponsor of the bill is trying to do and I do understand that the need to get unlicensed drivers, repeated offenders especially, off the road. But I am not accusing anybody of anything, first of all, I do not want to give the Police Commissioner the discretion of deciding who would be subject to that law, it is to me wrong. And I'm not accusing the police department of racial profiling, but I have a very, very strong feeling over the fact that minorities, especially minorities in the minority communities, are going to fall pray to that kind of a bill and I do not want to see that kind of discretion given to the Police Department. If we're going to make a law, make it where we have certain code and certain parameters that everybody will fall under, not at the discretion of anybody, that's number one.

Number two thing, I am very much afraid of the fact that people will be ensnared, to use

Legislator Bishop's word, would be ensnared in something because of economic condition which befalls a lot of minorities or other condition, you know, a parking ticket they didn't pay, their license was revoked because they have too many parking tickets. To me, this law •• and I'm sure it is well intended, but the parameters to me are too big to include to take somebody's car because of a lapse of other things. And also, I do not believe in the discretionary part of it, that is wrong to do, to pass a law and then decide you're going to give not the court, not the judge, anybody but the Police Commissioner the discretion as to who is going to fall under that law. You know, this is half•baked, this is to go back into the oven and cook for a while and fix because, you know, there's no way I can support this bill.

**CHAIRPERSON CARPENTER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. Again, deferring back to my ••

**LEG. BISHOP:**

(Inaudible).

**LEG. MYSTAL:**

Bishop, quiet.

**LEG. BISHOP:**

Sorry.

**LEG. LOSQUADRO:**

Thank you. Deferring back to my previous career in insurance, I think the term we're looking for here is persistent violator.

**CHAIRPERSON CARPENTER:**

Right.

**LEG. LOSQUADRO:**

And I actually think it's quite clear, you have to have •• and you said it before, you have to have a previous conviction which means someone had to be caught driving with either a

suspended or revoked license and convicted of that crime. So I think that we're looking at a caliber of person here that truly meets that persistent violator category.

I don't think this is going to ensnare people, I certainly don't think this is going to fall into any sort of profiling or unfairly targeting specific groups of individuals. These I believe will target people who have proven themselves to be dismissive of the laws and choose to ignore the laws that the rest of society must abide by. So I think we've seen, even from the time when I was young, a significant decrease in the number of DWI fatalities that we have had and I think that's been a direct result of the policies that have been put in place, most recently seizure of vehicles. I think this is another tool that the department could have at their disposal that can help solve a chronic problem that we have right now and one that plagues not only the citizenry as a whole but also our business community. In my background as the insurance industry, this is a very serious problem. So I'm supportive of this measure and I think it would be an excellent tool for the Police Department to have.

**CHAIRPERSON CARPENTER:**

Okay, thank you very much. Are there any other questions?

Legislator Lindsay?

**LEG. LINDSAY:**

Just really a comment more than anything else. And I'm a little bit twisted with the legislation, I had some concerns about the application of the legislation, not so much the concept behind it. And what I think about •• and probably some of my colleagues will remember this, but I think it was last summer we had two carpenters killed on a picket line ••

**LEG. BISHOP:**

Right.

**LEG. LINDSAY:**

•• by someone that ••

**LEG. BISHOP:**

Had a suspended license.

**LEG. LINDSAY:**

•• had a suspended license many, many times and he was still driving. And if this could do something to help prevent something like that, of course I think we would all be for it. I think it's just some of the technicalities of the law that we're a little bit hung up on.

**CHAIRPERSON CARPENTER:**

Well, if you would ••

**MS. CAPUTI:**

Would it be okay if I made just one or two comments ••

**CHAIRPERSON CARPENTER:**

Certainly.

**MS. CAPUTI:**

Thank you. The Law Department just wanted to say that there are existing Vehicle and Traffic Law provisions that do cover two of the crimes that would be under your bill. And as you know, the VTL is supposed to be uniform throughout the State and your provisions are a little different than the mechanisms under the VTL and so we see a potential problem there. And also, the Law Department wanted to speak to Counsel or yourself about the ramifications on my office as far as resources to implement this, you know, forfeiture and hearing procedure, and we haven't had a chance to do that. So we wanted to just bring those things to your attention and ask for some time to talk to you about that.

**CHAIRPERSON CARPENTER:**

Okay. Well, I want to just say something. This bill was laid on the table February 15th, your department, Chief Deputy County Attorney Lynne Bizzarro, has been cc'd on all of this, Counsel has been working with Lieutenant Armet of the Police Department, the Chief earlier said that they were very supportive and saw this as a very good tool for the department. Here we are in May ••

**MS. CAPUTI:**

I sent you two e-mails, though, I did ••

**CHAIRPERSON CARPENTER:**



I directed Counsel to make whatever changes were necessary so that the department would have a comfort level with the bill and that seems to be what we've arrived at with 13 changes to the bill. I mean, I'm not, you know, being stubborn about this, I want to put that tool in the hands of the department. And Counsel made many phone calls and inquiries to me, did I have a problem with this, did I have a problem with that, I said, "No, I really don't have a problem with any of it. I just want to make sure they're comfortable and that we move forward with this."

**MS. CAPUTI:**

Okay. Can I just ••

**CHAIRPERSON CARPENTER:**

Everyone was cc'd so for you to come in here now in May and tell me that you have a problem with it, I have a problem. And I really would like to move this bill forward because I think the sooner we put that tool in the hands of the department the better we all are. And just yesterday or the day before, two young kids riding on a bicycle in West Islip, you know, in the afternoon, a Sunday afternoon were hit by a pizza delivery car being driven by an unlicensed driver.

**LEG. CARACCILO:**

Motion.

**CHAIRPERSON CARPENTER:**

Thank you. Motion to approve ••

**MS. CAPUTI:**

I just want to put on the record that I did correspond with you twice, on March 7th and 18th, I did send you e•mails; I don't know if you saw them.

**CHAIRPERSON CARPENTER:**

In March and it was all forwarded to Legislative Counsel and I said to her, "Whatever their concerns are address them, you know, I want a bill that everyone is comfortable with."

**LEG. BISHOP:**

May I ask a question?

**CHAIRPERSON CARPENTER:**

Certainly, Legislator Bishop.

**LEG. BISHOP:**

Of counsel, and I appreciate your frustration, Madam Chair. When we seize a DWI vehicle, it's on a theory that the car is the instrumentality of the crime, driving while intoxicated. When we seize a suspended license, it's the same theory, right, the crime is driving with a suspended license?

**MS. KNAPP:**

Yes.

**LEG. BISHOP:**

And normally it's not reckless driving, it's not a felony, is it?

**MS. KNAPP:**

Driving with a suspended license is not a felony, no.

**LIEUTENANT ARMET:**

The 511 has three categories, the highest grade is a felony, the middle grade is a misdemeanor and the lowest grade is a violation.

**LEG. BISHOP:**

Okay. When does it cross into what?

**LIEUTENANT ARMET:**

Each of the subdivisions are very complex, but usually the highest degree requires multiple convictions and then continuing to drive, for example, under the influence of alcohol, again, that would be an E•felony category.

**LEG. BISHOP:**

Right. And it would seem to me that those are the people that we're after. The people that are the lowest category which is driving with a suspended license, what if it's your second offense which is what ••

**LIEUTENANT ARMET:**

It depends upon the nature of the suspension. The normal suspension for failing to pay a ticket or for insurance lapse to the lowest degree where there's been prior convictions, it's probably in the second level or if it was based upon a suspension due to an alcohol related reason.

**LEG. BISHOP:**

Well, a non•alcohol related reason, they didn't have money to pay their insurance 15 years ago let's say.

**LIEUTENANT ARMET:**

That would be the lowest one, that's the basic 511 suspended license, unless it's been repetitive in nature.

**LEG. BISHOP:**

And then you ••

**MS. KNAPP:**

Lieutenant Armet, could I just interrupt for one moment? When the Legislator asked the question about 15 years ago, by virtue of the way this bill is constructed and the record keeping, we can only go back how many years?

**LIEUTENANT ARMET:**

We have a built•in problem with this particular thing because the Department of Motor Vehicle does not keep records more than four years for suspended licenses. They do keep them for ten years for driving while intoxicated and the State DCJS, Division of Criminal Justice Service, is a source to find out convictions Statewide for the DWI's; in this instance we will probably be limited to four years of a prior conviction.

**LEG. BISHOP:**

Do we have any •• the County Attorney left.

**MS. CAPUTI:**

I'm here, I'm here.

**LEG. BISHOP:**

Either yourself or our Counsel or Lieutenant Armet, do we have any problem with punishment fitting the crime, is that an issue? We can take someone's car, seize it for their second offence, no reckless driving, no alcohol, just ••

**MS. KNAPP:**

No, there is an excessive penalties provision, as we know, in the United States Constitution, I discussed it with many Legislators in the past. I was not particularly concerned with this one because, don't forget, there's the difference between seizure forfeiture. You know, certainly the forfeiture in the most minimal instance could possibly be attacked as an excessive penalty, but in this case a temporary seizure would never be seen as ••

**LEG. BISHOP:**

Oh, so we're not forfeiting •• it's not the same as the DWI bill? What we do with second offense DWI, right, we take the car, right?

**LIEUTENANT ARMET:**

This law does have a forfeiture provision, but it also has an innocent owner defense and it does call for a hearing in a very short period of time. So those people that are innocent victims would have an opportunity to get back their cars as is happening right now in with the other DWI forfeiture sections where they're going before a retired Supreme Court Justice who is, in most instances, returning vehicles to innocent owners.

**LEG. BISHOP:**

Yeah, but this wouldn't be an innocent owner, this is somebody who did the underlying act, they drove a second time with a suspended license, but they haven't driven recklessly, there's no alcohol involved. In the normal course of New York State law currently, that person would be fined, right, and they would have their driving privileges suspended, continue to be suspended. Now we're taking away their car, right, isn't that the effect of this law?

**LIEUTENANT ARMET:**

If they are the owner of that car, we have to distinguish, many of these people are not driving their own car, but in the instance where they are driving their own car, yes, their cars would be subject to forfeiture.

**LEG. BISHOP:**

Okay. And so what I'm saying is that •• that doesn't run into some sort of constitutional problem given that •• it's not like a DWI situation where they're committing a felony, they're committing something that usually has a fine associated with it.

**MS. CAPUTI:**

Legislator Bishop, there is a Section 6 that says that the County Attorney can decline to institute a forfeiture proceeding if in the interest of justice she determines it's not appropriate, so that sounds like an out from what you're concerned with.

**MS. KNAPP:**

And that is identical to the DWI Seizure law.

**LEG. BISHOP:**

Well, fortunately, and I'll credit Counsel and the sponsor, there are plenty of outs here. I just •  
•

**CHAIRPERSON CARPENTER:**

Absolutely.

**LEG. BISHOP:**

•• also see plenty of ins that could be abused, so I'm very wary of it. If you wanted to write it with more strict guidance, it would be helpful from my perspective. Thank you.

**CHAIRPERSON CARPENTER:**

Okay. I think that's all we have on this now, so we will move to 1281. Actually, we had a motion and a second on this.

**LEG. CARACCILO:**

I made the motion.

**CHAIRPERSON CARPENTER:**

Legislator Caracciolo made the motion •• no, actually I made the motion and Legislator Losquadro made the second. All those in favor? Opposed?

**LEG. MYSTAL:**

Opposed.

**LEG. BISHOP:**

Abstain for now.

**CHAIRPERSON CARPENTER:**

Okay, we have one abstention.

**LEG. MYSTAL:**

Abstain.

**CHAIRPERSON CARPENTER:**

Two abstentions. Okay, ***the resolution is approved (VOTE: 5•0•2•1 Abstentions: Legislators Bishop & Mystal • Not Present: Legislator O'Leary).***

***1281•05 • To establish a pilot program called the "Safe Communities Initiative" authorizing the expanded use of security camera systems to deter crime and assist law enforcement efforts (Cooper).*** Now, I understand this is changed, so we're not establishing the pilot program but rather •• so this title is different from the title on the corrected copy, so we're actually •• ***the resolution would be to establish a Safe Communities Initiative Task Force to study the expanded use of security camera systems to deter crime and assist law enforcement efforts in high crime areas,*** that is the exact title of the bill. Do I have a motion?

**LEG. LINDSAY:**

Motion.

**LEG. BISHOP:**

Second.

**CHAIRPERSON CARPENTER:**

Motion by Legislator Lindsay, second by Legislator Bishop.

All those in favor?

**LEG. BISHOP:**

I have one question.

**CHAIRPERSON CARPENTER:**

Question by Legislator Bishop.

**LEG. BISHOP:**

Balance on the task force, do you have civil libertarians on the task force as well?

**LEG. COOPER:**

Yes, I actually reached out to the New York Civil Liberties Union to see whether they would be willing to appoint a designee because they were the most vocal opponents of this proposal.

**LEG. BISHOP:**

Right, but probably not, right?

**LEG. COOPER:**

They turned it down, but I instead went with the representative with the Long Island Progressive Coalition who works closely with the Civil Liberties Union, and so we will definitely have a voice from the other side on the task force.

**LEG. BISHOP:**

It's a right-wing group. You need a conservative civil libertarian to really balance it out, but all right.

**LEG. COOPER:**

I think we've got enough conservatives on the task force.

**CHAIRPERSON CARPENTER:**

All right, so we have a motion and a second. I'm a little disappointed not to see anyone from the business community, you know, because if you were addressing •• and I think I passed that comment along to someone who had called on your behalf about this bill, that they're really ••

you're talking about targeting downtowns, you're looking at it globally as a task force, would they be hurting business or helping business? I'm surprised not to see ••

**LEG. CARACCIOLO:**

On the resolution, Madam Chair.

**CHAIRPERSON CARPENTER:**

Legislator Caracciolo.

**LEG. CARACCIOLO:**

Has the department commented on this proposal, in favor?

**CHIEF MOORE:**

Yes, sir, the task force.

**LEG. CARACCIOLO:**

Okay.

**CHAIRPERSON CARPENTER:**

It's another tool.

**LEG. BISHOP:**

It's another tool; just like the last one, they're going to have plenty of tools.

**CHAIRPERSON CARPENTER:**

Okay, Legislator Cooper.

**LEG. COOPER:**

Originally when I was thinking about moving forward directly with the pilot program in the Town of Huntington, I did actually have two representatives from the business community, the Huntington Township Chamber of Commerce •• no, I'm sorry, Huntington Township Chamber of Commerce as well as the Public Safety Office in the Town of Huntington. But since we're now just talking about a task force, the main purpose of this task force is to look at the dozens, many dozens of cities and towns across the country that have already implemented these programs. And probably the main issue to look at is whether security camera technology can



indeed be used successfully to deter crime and not merely displace it to surrounding neighborhoods and whether it serves as a valuable means of apprehending criminals. My office over the past few months has been in touch with about a half dozen cities across the country, all of whom have reported some very dramatic positive results; decreases in crime ranging from 19%, 29%, 45% to 90%, nine zero percent in ••

**LEG. MYSTAL:**

Ninety percent where? Jersey City.

**LEG. COOPER:**

In Jersey City. Well, so a 90% drop in crime and concomitant with that was attraction of new businesses to the community and a new community center, new library. But I'm cognitive that there are civil libertarian concerns and even though all the cities that we reached out to assured us that they were able to get broad-based support from the public, from the business community and from the police and they were able to come together in partnership, I felt that we needed to look at all the variables out there, all the potential privacy protocols, different funding variables, some cities use Federal funding, Homeland Security Funds, others •• I'm sorry, just one second •• others have implemented programs like Adopt-a-Camera where the local business community or individuals will contribute to the cost of the cameras. So anyway, I didn't feel that at this stage we needed to have a representative of the business community.

**CHAIRPERSON CARPENTER:**

Okay, thank you very, very much. There is a motion and a second.

All those in favor? Opposed.

**LEG. CARACCILO:**

Opposed.

**LEG. LOSQUADRO:**

Opposed.

**LEG. NOWICK:**

Opposed.

**LEG. BISHOP:**

Did you ever answer her question, why didn't you have a business person?

**CHAIRPERSON CARPENTER:**

No, he didn't, but that's okay. Okay, I'm going to abstain for now. I'm going to make a motion to table. Is there a second to the tabling?

**LEG. LOSQUADRO:**

I'll second that.

**CHAIRPERSON CARPENTER:**

Okay. All those in favor? Opposed?

**LEG. MYSTAL:**

Opposed.

**LEG. BISHOP:**

I'm opposed.

**LEG. LINDSAY:**

I'm opposed to tabling.

**LEG. CARACCILOLO:**

Opposed to tabling;

**LEG. MYSTAL:**

Opposed to table.

**LEG. LOSQUADRO:**

It failed.

**CHAIRPERSON CARPENTER:**

Could you please raise your hands, who's opposed to tabling? One, two, three opposed to tabling. The resolution is tabled because it's the majority of those present, because we need five to approve, four to table. ***The resolution is tabled (VOTE: 4•3•0•1 Opposed: Legislators Bishop, Lindsay & Mystal • Not Present: Legislator O'Leary).***

**1285•05 • Adopting Local Law No. 2005, a Local Law to amend Article II of the Chapter 270 of the Suffolk County Code to provide further protections under the "Crack House law" (Cooper).** Motion? I'll make that motion. Is there a second?

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON CARPENTER:**

Second by Legislator Losquadro. All those in favor?

**LEG. BISHOP:**

I just want to get on record, what did we add to the Crack House Law?

**CHAIRPERSON CARPENTER:**

Lots of stuff, and we're going to ask Counsel to answer us.

**LEG. BISHOP:**

Lots of really bad stuff I hope, right?

**CHAIRPERSON CARPENTER:**

Yeah, bad, bad stuff.

**LEG. BISHOP:**

Didn't we like not have shooting guns in there?

**CHAIRPERSON CARPENTER:**

Counsel, if you would. I'm afraid to ask the sponsor.

**MS. KNAPP:**

This is a second broadening of prohibited conduct under the Crack House Law. In this case the inclusions are insurance fraud, falsifying business records, tampering with public record and offering a false instrument for filing.

**LEG. BISHOP:**

Wait a second.

**MS. KNAPP:**

In addition to sales tax ••

**CHAIRPERSON CARPENTER:**

Did you want to make a motion to table?

**LEG. BISHOP:**

Yes.

**LEG. CARACCILO:**

Second.

**CHAIRPERSON CARPENTER:**

Okay, we have a motion and a second to table. All those in favor? Opposed? The resolution is tabled.

**LEG. LOSQUADRO:**

List me as opposed.

**CHAIRPERSON CARPENTER:**

**(VOTE: 6•1•0•1 • Opposed: Legislator Losquadro • Not Present: Legislator O'Leary).**

**1304•05 • Accepting and appropriating 100% Federal grant funds awarded by the U.S. Department of Justice under the FFY 2004 Local Law Enforcement Block Grant to the Suffolk County Departments of Police, Probation, Economic Development and Workforce Housing and Youth Bureau (County Executive).** This is a 100% grant. There is some question and I know it was brought up at the last meeting and that was why it was tabled, this grant was applied for by the Sheriff's Department and now it's being awarded to a different department. So that seems to cause a legal problem so we're going to table this and hopefully between now and the next meeting this will be rectified. I will make that motion to table, second by Legislator ••

**MS. CAPUTI:**

Madam Chairwoman.

**CHAIRPERSON CARPENTER:**

•• Caracciolo. All those in favor? Opposed? The resolution is tabled.

**LEG. MYSTAL:**

Opposed.

**CHAIRPERSON CARPENTER:**

One opposed. ***Tabled (VOTE: 6•1•0•1 Opposed: Legislator Mystal • Not Present: Legislator O'Leary).***

***IR 1324•05 • Establishing a County policy for use of foot patrols and bicycle patrols in Huntington Village (Binder).*** We heard that the Commissioner is opposed to this. We're speaking to the sponsor on this resolution. I'm going to make a motion to table, second by Legislator Nowick. All those in favor? Opposed? ***The resolution is tabled (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

***IR 1327•05 • Adopting Local Law no. 2005, a Local Law establishing responsible standards and controls for alarm systems that require Police Department response (Cooper).*** The public hearing, I believe that hearing was closed.

**LEG. BISHOP:**

You have a false alarm, you're a crack house and we take your house.

**CHAIRPERSON CARPENTER:**

Yeah.

**LEG. LINDSAY:**

Motion to table.

**LEG. BISHOP:**

And your car, too.

**CHAIRPERSON CARPENTER:**

I'm sorry. Counsel, did you have ••

**MS. KNAPP:**

I'll defer to the Clerk, but I believe my notes indicate it's still recessed; am I wrong?

**MS. SULLIVAN:**

It's still recessed.

**CHAIRPERSON CARPENTER:**

Okay, good. We have a motion to table by myself, second by Legislator Bishop. All those in favor? Opposed? ***It is tabled (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

### **INTRODUCTORY RESOLUTIONS**

***1350•05 • A Local Law No. 2005, a Local Law to increase the membership of the Criminal Justice Coordinating Council to include a representative of the Suffolk County Bar Association (County Executive).*** Motion ••

**LEG. NOWICK:**

To table.

**CHAIRPERSON CARPENTER:**

•• by Legislator ••

**LEG. CARACCILO:**

Explanation?

**LEG. NOWICK:**

Don't we have to table it for a public hearing, or did it have one already?

**CHAIRPERSON CARPENTER:**

Oh, yes, I'm sorry. We have to have a public hearing so we will table that resolution pending a public hearing. All those in favor? Opposed? ***It is tabled (VOTE: 7•0•0•1 Not Present:***

***Legislator O'Leary).***

***IR 1352•05 • Naming the new 6th Precinct in Selden the Rose Y. Caracappa Building (O'Leary).***

**LEG. CARACCILOLO:**

Motion.

**CHAIRPERSON CARPENTER:**

Motion by Legislator Caracciolo, I will second that and I would also ask to be listed as a cosponsor. I had the honor of serving on this Legislature with Legislator Caracappa along with ..

**LEG. CARACCILOLO:**

Add me also.

**CHAIRPERSON CARPENTER:**

•• Legislator Caracciolo, and I believe Legislator Bishop was the only other person here who did serve with her.

**LEG. LOSQUADRO:**

Cosponsor.

**LEG. BISHOP:**

Madam Chair?

**CHAIRPERSON CARPENTER:**

Yes. We have a motion and a second, and on the motion, Legislator Bishop. By the way, at the dedication the building was already named for her, this would memorialize it.

**LEG. BISHOP:**

Oh, it already occurred? Okay.

**CHAIRPERSON CARPENTER:**

Yes.

**LEG. CARACCILOLO:**

Yeah.

**LEG. BISHOP:**

I'll withdraw my ••

**CHAIRPERSON CARPENTER:**

Okay, thank you. So we have a motion and a second. All those in favor? Opposed? ***The resolution is approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

***1354•05 • Extending the deadline for expiration of the Task Force on Public Safety Staffing Levels (Carpenter).***

**LEG. CARACCILOLO:**

Motion.

**CHAIRPERSON CARPENTER:**

I would please ask •• and I thank you for that motion and I will have Legislator Nowick second that. I just ask everyone, and I know that Chief Moore said that the Commissioner was not supportive of this, please. We have been meeting many, many, many times, we are wrapping this up, we just need a little time to complete it. We've had a change of Chair, Chief Moore has come on now as the Chair and I would like to say that perhaps we might have been a little bit further along in the process if he had been there from the beginning, but he is there now. The committee is really looking at the issue globally, it is not a knee•jerk reaction to the pilot program in Huntington as was suspected originally. We've really gotten some good information, we've been looking at the east end and, you know, policing resources that are given there. It's really been a very, very good process and the County Executive's representative, Ben Zwirn, has been participating and very, very helpful. And I will just ask my colleagues, just as we did for Legislator Cooper's Task Force on the Delinquent Property Taxes, when you get into something like this it very often takes longer than you anticipate when you draft the bill because there's a time lag in getting the appointments to the committee. So I would just ask that we support this so that once and for all we can, you now, bring this to closure. So we have a motion and a second. And on the motion, Legislator Caracciolo.



**LEG. CARACCILOLO:**

Yes; who was the initial chair of the committee, the task force?

**CHAIRPERSON CARPENTER:**

The initial Chairman was the Deputy Commissioner, Mr. Shannon, Roger Shannon.

**LEG. CARACCILOLO:**

And was there a particular reason why there was a mid•cross change?

**CHAIRPERSON CARPENTER:**

No, I think his duties •• I don't know, I didn't ask. I was just informed that Chief Moore would be the Commissioner's designee after our last meeting and he graciously accepted the chairmanship because we really felt that we were trying to have balance there. We've already looked at someone to start drafting the report so that we can bring it to the Legislature and, again, I would just ask everyone to support it.

**LEG. CARACCILOLO:**

And I would just add on a separate note but related to public safety that the County Executive is to be commended for abandoning his attempt, that pilot project in Huntington, the 2nd Precinct. It was something he thought would work, he realized once it was under way it was actually detrimental and he abandoned it and he deserves credit for acknowledging a bad decision.

**CHAIRPERSON CARPENTER:**

Well, thank you. And I think the Commissioner and his representative today, Chief Moore, you know, basically said the same thing, if it's an idea good and a pilot project you go forward, if it's not, they're not afraid to say so, so that was a good thing. Again, we have a motion and a second. Legislator Lindsay.

**LEG. LINDSAY:**

Really to the Chair and the sponsor, I think you're aware that I didn't vote for the initial resolution on this, I really think it's micromanaging the department. However, I did vote for the first extension because you started your work and I would really like to see it come to a culmination. I would hope that this will be the last extension.

**LEG. BISHOP:**

Oh, trust me.

**LEG. LINDSAY:**

All right? I want to conclude this thing.

**CHAIRPERSON CARPENTER:**

You and me both because I'm going to the meetings. With all due respect to our chair, they really are very informative but, you know, time constraints make it a little difficult. I thank you for that, Legislator Lindsay.

**LEG. BISHOP:**

You need time to work on the Sheriff's Department bill.

**CHAIRPERSON CARPENTER:**

We have a motion and a second •• and also the changes on your bill.

So we have a motion and a second. All those in favor? Opposed?

***The resolution is approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).*** I thank you very much.

We go to ***1369•05 • Accepting and appropriating a grant in the amount of \$73,000.00 from the State of New York Governor's Traffic Safety Committee target speeding and aggressive driving with 82.10% support (County Executive).*** Is that 100% grant? No, it's not. So we have a motion by Legislator Caracciolo, second by Legislator Losquadro. All those in favor? Opposed? ***The resolution is approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

***1372•05 • Approving a Memorandum of Understanding between the County of Suffolk and the Bellport, Hagerman, East Patchogue Alliance, Inc., establishing a cooperative relationship for the Bellport Weed & Seed Program and accepting and appropriating \$117,340 in subgranted funds from the U.S. Department of Justice with 84.5% support (County Executive).***

**LEG. CARACCIOLO:**

Same motion.

**CHAIRPERSON CARPENTER:**

On this resolution we're going to have a motion to table. I know there were some comments about it earlier and also Legislator O'Leary had some questions about it and he's not able to be here today. So we have a motion by myself to table, second by Legislator Bishop. All those in favor? Opposed? ***The resolution is tabled (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

***1383•05 • Authorizing the Commissioner of Fire, Rescue & Emergency Services to enter into a Regional Emergency Medical Service Mutual Aid agreement with the City of New York, Westchester County and Suffolk County (County Executive).***

**LEG. CARACCIOLO:**

Motion.

**LEG. MYSTAL:**

What about Nassau County?

**LEG. LINDSAY:**

Did we do 75.

**LEG. CARACCIOLO:**

We have one with Nassau.

**CHAIRPERSON CARPENTER:**

I don't have 75.

**LEG. CARACCIOLO:**

We have one with Nassau?

**LEG. LINDSAY:**

I have 1375; maybe in the 2nd Precinct Building, the Huntington ••

**CHAIRPERSON CARPENTER:**

I don't have that on my agenda.

**MR. PERILLIE:**

That was stricken.

**LEG. CARACCILO:**

No, that's on a different agenda.

**LEG. MYSTAL:**

I don't have that.

**CHAIRPERSON CARPENTER:**

No, I don't have that. Okay, 1383, the mutual aid agreement with Westchester. We have a motion.

**LEG. BISHOP:**

Yeah, question.

**LEG. CARACCILO:**

And a question.

**CHAIRPERSON CARPENTER:**

Commissioner Williams, if you could come forward, please.

**LEG. CARACCILO:**

The question up here at the horseshoe is do we currently have an existing agreement, mutual aid with Nassau?

**COMMISSIONER WILLIAMS:**

This particular agreement, it was started by New York City, the aftermath of 9/11. Actually, our agreements with them, Nassau elected not to have an agreement on medical aid. We have between our own departments, not officially between Nassau and Suffolk County, between all

the Fire departments and EMS departments they have mutual aid agreements, but this was for some reason Nassau elected not to enter into this for EMS.

**CHAIRPERSON CARPENTER:**

Okay. Any other questions? We have a motion and a second. All those ••

**LEG. BISHOP:**

Why?

**CHAIRPERSON CARPENTER:**

All those in favor?

**LEG. MYSTAL:**

Why?

**LEG. BISHOP:**

Why?

**CHAIRPERSON CARPENTER:**

Opposed?

**LEG. LOSQUADRO:**

He can't speak for Nassau County.

**CHAIRPERSON CARPENTER:**

The resolution is approved.

**COMMISSIONER WILLIAMS:**

I don't know.

**LEG. BISHOP:**

They didn't make a public statement as to why?

**CHAIRPERSON CARPENTER:**

Yoo hoo.

**COMMISSIONER WILLIAMS:**

No, they didn't make a public statement and the argument is the same thing, that they dissented to the mutual aid agreement for fire apparatus between New York City and Nassau County and we were not included in that, we weren't asked to be part of it.

**CHAIRPERSON CARPENTER:**

Their loss. ***Approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

Okay, we have ***Resolution 1436•05 • Resolution No. 2005, Accepting a donation of two (2) All Terrain Vehicles (ATV's) from KeySpan Electric Services LLC for the Suffolk County Police Department 7th Precinct (Losquadro).*** Motion by Legislator Losquadro, second by Legislator Caracciolo. All those in favor? Opposed? ***The resolution is approved (VOTE: 7•0•0•1 Not Present: Legislator O'Leary).***

And I believe we are adjourned. Thank you for your patience today. Thank you.

***(\*The meeting was adjourned at 2:03 P.M. \*)***

***Legislator Angie Carpenter, Chairperson  
Public Safety & Public Information Committee***

***\\_ \\_ • Denotes Spelled Phonetically***